

**Town of Georgetown
Annual Town Meeting
May 6, 2013**

The Annual Town Meeting was held at 7 PM at the Georgetown Middle High School in the Auditorium.

The meeting was called to order at 7:05 PM We have a quorum present

The return of the warrant shows that it has been properly posted.

The Moderator led us in the Pledge of Allegiance.

The non voting members in the audience and on stage, as well as the voting members on stage were recognized by the Moderator

David Surface, Chairman of the Board of Selectmen read a complimentary resolution for Wayne Snow who just recently retired as the manager of the Light Department.

The Moderator called for a motion to adopt a 5 minute speech limit on all articles.

MOTION: Chris Rich made the motion and it was seconded by Harry LaCortiglia.

ACTION: By a show of hands, the Moderator declared this passed by a 2/3rds vote.

The Moderator called for a motion to adjourn tonight's annual town meeting to deal with FY13 line items and reconvene right after the special town meeting.

MOTION: Harry LaCortiglia made the motion and it was seconded by David Surface.

ACTION: By a show of hands, this passed by a majority

The special town meeting was called to order.

SPECIAL TOWN MEETING WARRANT

Article 1: Creation of a Reserve Fund for Accrued Liabilities (STM/13-01)

To see if the town will accept the provisions of Chapter 40, Section 13D of the Massachusetts General Laws establishing a reserve fund for the future payment of accrued liabilities for compensated absences due any employee or full time officer of the Town upon the termination of the employee's or full-time officer's employment effective this fiscal year (2013), and to raise and appropriate or transfer from available funds a sum of money to be added to the Reserve Fund for Accrued Liabilities, or take any other action relative thereto.

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MOTION: Jim Lacey moved and it was seconded by Sandy Gerraughty that the Town accept the provisions of Chapter 40, Section 13D of the Massachusetts General Laws establishing a reserve fund for the future payment of accrued liabilities for compensated absences due any employee or full time officer of the Town upon the termination of the employee's or full-time officer's employment, which shall become effective this fiscal year (2013), and to transfer from free cash \$16,000 to be added to this Reserve Fund for Accrued Liabilities for such purpose.

Finance Committee recommends approval of this article 6-0

EXPLANATION: Jim Lacey-This is to pay accrued vacation or sick time upon retirement

ACTION: By a show of hands, this article passed by a majority

Article 2: Adjustments to the Fiscal Year 2013 operating budget (STM5/13-03)

To see if the Town will vote to amend the vote taken under Article 2 of the 2012 Annual Town Meeting warrant for the purpose of adjusting line items in the FY13 budget, and, as necessary, to raise and appropriate or transfer and appropriate from available funds a sum of money for the purpose of supplementing departmental expenses, or take any other action relative thereto.

MOTION: Jim Lacey moved and it was seconded by Sandy Gerraughty to amend the vote taken under Article 2 of the 2012 Annual Town Meeting for the purpose of increasing line item 14231, Snow & Ice Control Expense, in the FY 13 budget and as funding therefor, transfer from Free Cash the sum of \$161,046.64 .

Finance Committee recommends approval of this article 6-0

EXPLANATION: Jim Lacey-This is the only account that we are allowed to deficit spend on.

ACTION: By a show of hands, this passed by a majority

MOTION TO CLOSE: Chris Rich, seconded by David Bjork

ACTION: This passes by a majority

ANNUAL TOWN MEETING

Article 1: Town Officers and Committee Reports

To hear and act on the reports of the Town Officers and Committees.

Sandy Gerraughty from the Finance Committee gave an explanation of the budget process and how they came to a balanced budget.

Article 2: General Operating Budget/Reserve Fund

To see if the Town will raise and appropriate, or appropriate by transfer from available funds, a sum of money to defray charges and expenses of the Town, including debt and interest and including support of the schools, to fix salaries of the several elected offices of the Town, as provided by Section 108, Chapter 41, General Laws, as amended, and to provide for a reserve

fund for the ensuing year, as set forth in the Finance and Advisory Board Proposed Budget and Town Meeting Warrant for the Fiscal Year beginning July 1, 2013, or take any other action in relation thereto.

MOTION: Robin O'Malley moved and it was seconded by Chris Tentindo that the Town raise and appropriate the sum of \$23,503,511 (twenty three million five hundred three thousand five hundred eleven dollars), appropriate by transfer from the Water Department Enterprise Fund the sum of \$ 262,164 (two hundred sixty two thousand one hundred sixty four dollars), transfer from Septic Betterment the sum of \$21,060 (twenty one thousand sixty dollars), and transfer from the Affordable Housing Trust the sum of \$12,416 (twelve thousand four hundred sixteen dollars) , for a total appropriation of \$23,799,151 (twenty three million seven hundred ninety nine thousand one hundred fifty one dollars), to defray charges and expenses of the Town for the fiscal year beginning July 1, 2013, including support of the town's public schools and Whittier Regional Vocational Technical High School, to fix salaries of the several elected offices of the Town, and to provide for a reserve fund for the Fiscal Year beginning July 1, 2013, in accordance with the line items and Finance Committee and Advisory Board's report to the May 6, 2013, Annual Town Meeting.

Finance Committee recommends approval of this article 6-0

ACTION: By a show of hands, this article passed by a majority

Article 3: Stabilization Fund

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be added to the Stabilization Fund, or take any other action in relation thereto.

This article was passed over

Article 4: Capital Fund

To see if the Town will vote to raise and appropriate or transfer from available funds a sum not to exceed \$50,000 to be added to the Capital Fund, a special purpose stabilization fund created by vote of the May 4, 2009 Annual Town Meeting pursuant to the provisions of Massachusetts General Laws Chapter 40, Section 5B, said funds to be further appropriated by Town Meeting for improvements and/or repairs to municipal buildings and infrastructure, or take any other action in relation thereto.

This article was passed over

Article 5: Water Department Operating Budget

To see if the Town will appropriate the receipts and available funds of the Water Department Enterprise Fund for the operation of the Water Department under the direction of the Water Commissioners for the Fiscal Year beginning July 1, 2013, or take any other action in relation thereto.

MOTION: Nick Lawler moved and it was seconded by George Comiskey that the Town appropriate Water Department Enterprise Revenues for the operation of the Water Department under the direction and control of the Water Commissioners in accordance with the Water

Department Budget as shown in the Finance & Advisory Board's Report to the May 6, 2013 Annual Town Meeting for the Fiscal Year beginning July 1, 2013, such that a total of \$262,164 (two hundred sixty two thousand one hundred sixty four dollars) is appropriated for indirect operating cost as appropriated under Article 2, and a total of \$1,214,810 (one million two hundred fourteen thousand eight hundred ten dollars), to the Town to pay direct costs.

The Finance Committee recommends approval of this article 6-0

ACTION: By a show of hands, this article passed by a majority

Article 6: Water Department Budget

To see if the Town will vote to appropriate from the Water Department Enterprise Fund Retained Earnings, the sum of one hundred and seventy-five thousand dollars (\$175,000) to be expended under the direction of the Board of Water Commissioners for costs associated with water system improvements, or take any other action in relation thereto.

MOTION: Nick Lawler moved and it was seconded by George Comiskey that the Town appropriate \$175,000 (one hundred seventy five thousand dollars) from the Water Department Enterprise Fund Retained Earnings for the purpose of making improvements to the Town's water system and to authorize the Board of Water Commissioners to enter into any contracts necessary or incidental thereto.

The Finance Committee recommends approval of this article 6-0

DISCUSSION: Glenn Smith explained that this article was for engineering and testing to the water treatment plant

ACTION: By a show of hands, this article passed by a majority.

The consent calendar consists of yearly housekeeping items. The Moderator will list the articles as printed in the warrant. She will accept one motion to takes all articles as read and pass them as a group. If anyone wishes to hold an article for question or discussion, this article would be pulled from the consent calendar and voted on separately.

MOTION: Harry LaCortiglia moved and it was seconded by Chris Rich to take all articles as printed in the warrant and pass them as a group

{BEGIN CONSENT CALENDAR}

Article 7: Municipal Light Department Continuation of Operation

To see if the Town will appropriate receipts of the Municipal Light Department for the operation of said Department under the direction and control of the Municipal Light Board, as defined in Section 34, Chapter 164, General Laws, for the Fiscal Year beginning July 1, 2013, or take any other action in relation thereto.

Article 8: Zoning Board of Appeals Revolving Fund

To see if the Town will vote to continue the Zoning Board of Appeals Revolving Fund as authorized by Chapter 44, Section 53E ½ of Massachusetts General Laws. This fund shall be funded by applicants' fees to be expended without further appropriation for the purpose of application review including, but not limited to review services, clerical, legal expenses, equipment and office supplies. The Zoning Board of Appeals may expend from this account an amount not to exceed \$20,000 for the Fiscal Year beginning July 1, 2013; or take any other action in relation thereto.

Article 9: Road Machinery Fund

To see if the Town will vote to continue the Road Machinery Fund as authorized by Chapter 44, Section 53E ½ of the Massachusetts General Laws. This fund shall be funded by payments for rental of Highway machinery and shall be expended without further appropriation for the purpose of purchasing highway equipment. The Highway Surveyor, with approval of the Board of Selectmen, may expend from this account an amount not to exceed \$25,000, or the balance in the account, whichever is lesser, for the Fiscal Year beginning July 1, 2013; or take any other action in relation thereto.

Article 10: Conservation Commission Revolving Fund for Camp Denison

To see if the Town will vote to continue a Conservation Commission Revolving Fund for Camp Denison as authorized by Chapter 44, Section 53E ½ of Massachusetts General Laws. This fund shall be funded by program fees, facility use charges and outside vendor charges to be expended without further appropriation for the purpose of maintaining the support of the land and facilities including, but not limited to utilities, seasonal staff, legal expenses, equipment and office supplies. The Conservation Commission may expend from this account an amount not to exceed \$16,000 for the Fiscal Year beginning July 1, 2013; or take any other action in relation thereto.

Article 11: Local Access Programming

To see if the Town will vote to continue a Cable Television Revolving Fund as authorized by Chapter 44, Section 53E ½ of Massachusetts General Laws. This fund shall be funded by the Annual License Fee and the PEG Capital Funding (Section 7.4 of the contract) paid by Comcast and Verizon to the Town to be expended without further appropriation for the purpose of Local Access Programming, including but not limited to, utilities, salaries, equipment, maintenance and office supplies. The Cable Advisory Committee, with the approval of the Board of Selectmen, may expend from this account an amount not to exceed \$80,000 for the Fiscal Year beginning July 1, 2013; or take any other action in relation thereto.

Article 12: Chapter 90 Reimbursement, Transportation Bond

To see if the Town will appropriate the sum of \$457,454 (Four hundred fifty seven thousand four hundred fifty four dollars), or any other sum to be reimbursed by the Commonwealth of Massachusetts under the Transportation Bond issue, to be spent by the Highway Surveyor, with approval of the Board of Selectmen, under the provisions of Chapter 90 of the General Laws, or take any other action in relation thereto.

Article 13: Conservation Department, Conservation Restriction Revolving Fund

To see if the Town will vote to continue a Georgetown Conservation Restriction Revolving Fund as authorized by Chapter 44, Section 53E ½ of the Massachusetts General Laws. This fund shall be funded by fees and donations to be expended without further appropriation for the purpose of inspecting the condition of land for which the Georgetown Conservation Commission is the

holder of Conservation Restrictions including, but not limited to staff expenses, legal expenses, equipment and supplies. The Conservation Commission may expend from this account an amount not to exceed \$1,000 for the Fiscal Year beginning July 1, 2013; or take any other action in relation thereto.

Article 14: Fire Department, Fire Alarm Revolving Fund

To see if the Town will vote to continue a Georgetown Fire Department Revolving Fund as authorized by Chapter 44, Section 53E ½ of the Massachusetts General Laws. This fund shall be funded by the annual fees charged for connection to the Municipal Fire Alarm system to be expended without further appropriation for the purpose of maintaining the Municipal Fire Alarm System. The Fire Department may expend from the account an amount not to exceed \$10,000 for the Fiscal Year beginning July 1, 2013; or take any other action in relation thereto.

Article 15: Inspections Department, Revolving Fund

To see if the Town will vote to continue an Inspections Department Revolving Fund as authorized by Chapter 44, Section 53E ½ of the Massachusetts General Laws. This fund shall be funded by fees associated with electronic permit tracking software when permits are issued by the Town of Georgetown. Funds to be expended without further appropriation for the purpose of funding permit tracking software fees, training, computer upgrades, data storage, and electronic data conversion of existing paper files and contract work associated with the electronic permitting system. The Inspections Department may expend from this account an amount not to exceed \$12,000 for the fiscal year beginning July 1, 2013, or take any other action in relation thereto.

{END CONSENT CALENDAR}

MOTION: Harry LaCortiglia moved and it was seconded by Chris Rich to approve the consent calendar which includes Article 7 through Article 15 as printed in the warrant.

ACTION: By a show of hands, the Consent Calendar was passed by a majority

Article 16: Fire Department, Enterprise Fund Creation

To see if the town will accept the provisions of Chapter 44, § 53F ½ of the Massachusetts General Laws to establish an enterprise fund for the Town's ambulance service effective Fiscal Year 2014 and further to see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Ambulance enterprise, or take any other action in relation thereto.

MOTION: Stu Egenberg moved and it was seconded by Sandy Gerraughty to accept the provisions of Chapter 44, Section 53F ½ of the Massachusetts General Laws to establish an enterprise fund for the Town's ambulance service effective FY2014 and further to appropriate Ambulance Enterprise Revenues for the operation of the Ambulance Department under the direction and control of the Board of Selectmen, in consultation with the Fire Chief, in accordance with the Ambulance Department Budget as shown in the Finance & Advisory Board's Report to the May 6, 2013 Annual Town Meeting for the Fiscal Year beginning July 1, 2013.

The Finance Committee recommends approval of this article 6-0

DISCUSSION: Chris Rich asked if someone could share the incoming money and expenses for the last year. Fire Chief Beardsley stated that it brought in just under \$300,000 and they spent approx \$157,000

ACTION: By a show of hands, this article passed by a majority

Article 17: Transfer of Fire Department Ambulance Revolving Fund Balance

To see if the Town will vote to transfer the unexpended balance remaining in the Ambulance Revolving Fund as of June 30, 2013 to the Fire Department Ambulance Enterprise Fund, or take any other action thereon.

MOTION: Stu Egenberg moved and it was seconded by Harry LaCortiglia to transfer the unexpended balance remaining in the Ambulance Revolving Fund as of June 30, 2013 to the Ambulance Enterprise Fund.

The Finance Committee recommends approval of this article 6-0

ACTION: By a Show of hands, this article passed by a majority

Article 18: Fire Department, Ambulance Revolving Fund

To see if the Town will vote to continue a Georgetown Fire Department Ambulance Revolving Fund as authorized by Chapter 44, Section 53E ½ of the Massachusetts General Laws. This fund shall be funded by the fees charged for ambulance services provided by the Georgetown Fire Department to be expended without further appropriation for the purpose of operating an ambulance service. The Fire Department may expend from this account an amount not to exceed \$149,000 for the fiscal year beginning July 1, 2013, or take any other action in relation thereto.

This article was passed over

Article 19: Fire Department, Ladder Truck Payment

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$77,000 (seventy seven thousand dollars) for the Fiscal Year 2014 lease payment for the Fire Department ladder truck, or take any other action in relation thereto.

MOTION: Ed Dobie moved and it was seconded by Sandy Gerraughty to appropriate from Free Cash the sum of \$77,000 (seventy seven thousand dollars) for the Fiscal Year 2014 lease payment for the Fire Department ladder truck.

The Finance Committee recommends approval of this article 6-0

ACTION: By a show of hands, this article passed by a majority

Article 20: Other Post-Employment Benefits Trust Fund

To see if the Town will vote to raise and appropriate or transfer from available funds a sum not to exceed \$50,000 (fifty thousand dollars) to be added to the Other Post Employment Benefits Liability Trust Fund, created by vote of the May 7, 2012 Annual Town Meeting pursuant to the provisions of G.L. c.32B, §20, or take any other action in relation thereto.

MOTION: Jim Lacey moved and it was seconded by David Surface to appropriate from Free Cash the sum of \$50,000 (fifty thousand dollars) to be added to the Other Post Employment Benefits Liability Trust Fund, created by vote of the May 7, 2012 Annual Town Meeting pursuant to the provisions of G.L. c.32B, §20.

The Finance Committee recommends approval of this article 6-0

DISCUSSION: David Surface stated that this was created to take care of health care liability. Phil Cannon asked how much the liability was and Jim Lacey stated 16 million. David Surface explained that this would not be needed all at once. The numbers could also change based on the formula used to calculate this amount. This is simply just putting some money away.

ACTION: By a show of hands, this article passed by a majority

Article 21: Intercom System for Perley Elementary and Middle High Schools

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$52,000 (fifty two thousand dollars) for Intercom Systems for the Perley Elementary and Middle High Schools, or take any other action in relation thereto.

MOTION: Rob Hoover moved and it was seconded by Harry LaCortiglia to transfer the sum of \$52,000 (fifty two thousand dollars) from the Capital Stabilization Fund for the purchase and installation of Intercom Systems for the Perley Elementary and Middle High Schools, including all costs incidental and related thereto.

The Finance Committee recommends approval of this article 6-0

Rob Hoover stated that the present system is not cost effective to fix. Some rooms have no working intercoms in them and this is a safety issue.

ACTION: By a show of hands, this article passes by a 2/3rds

Article 22: Replacement of the Handicapped Ramp at Middle High School

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$38,000 (thirty eight thousand dollars) for the replacement of the handicapped ramp at the Middle High School, or take any other action in relation thereto.

MOTION: Rob Hoover moved and it was seconded by Harry LaCortiglia to transfer the sum of \$38,000 (thirty eight thousand dollars) from the Capital Stabilization Fund for the replacement of the handicapped ramp at the Middle High School, including all costs incidental and related thereto.

Finance Committee recommends approval of this article 6-0

Rob Explained that the current condition of the handicapped ramp does not meet ADA specs.

ACTION: By a show of hands, this article passed by a 2/3rds vote.

Article 23: Replacement of the HVAC Unit for the auditorium at the Middle High School

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$80,000 (eighty thousand dollars) for the replacement of the HVAC Unit for the auditorium at the Middle High School, or take any other action in relation thereto.

Finance Committee recommends approval of this article 6-0

MOTION Rob Hoover moved and it was seconded by Harry LaCortiglia to transfer the sum of \$80,000 (eighty thousand dollars) from the Capital Stabilization Fund for the replacement of the HVAC Unit for the auditorium at the Middle High School, including all costs incidental and related thereto.

EXPLANATION: Rob Stated that the AC and ventilation system is in disrepair. Robert Kelley asked why this was not part of the \$3 million energy savings performance bond. Mike Farrell stated that this is not an energy savings, the bond was for improvements that can be paid back.

ACTION: By a show of hands, this article passed by a 2/3rds vote.

Article 24: Purchase of six-wheel dump truck

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$150,000 (one hundred fifty thousand dollars) for a six-wheel dump truck or take any other action in relation thereto.

MOTION: Peter Durkee moved and it was seconded by Sandy Gerraughty to transfer from Free Cash the sum of \$100,000 (one hundred thousand dollars) for the purchase and equipping of a six-wheel dump truck; noting further that the balance of \$50,000 (fifty thousand dollars) necessary for acquisition of such truck is included in the operating budget approved under Article 2.

The Finance Committee recommends approval of this article 6-0

Chris Rich would like an explanation of why we need this new truck. Peter Durkee, Highway Surveyor, stated this will replace an existing truck which has an 85” crack in the frame.

ACTION: By a show of hands, this passed by a majority

Article 25: Solicitation and Canvassing Bylaw

To see if the Town will vote to amend the Code of the Town of Georgetown by adding a new section as follow:

or take any other action in relation thereto.

Chapter #. SOLICITATION AND CANVASSING

§#-1. Statement of Purpose

This Bylaw, adopted pursuant to M.G.L. c.43B, Section 13 and Article 89 of the Amendments to the Constitution of the Commonwealth of Massachusetts is intended to secure for residents of the Town of Georgetown the tranquility which they reasonably expect to enjoy in the privacy of their homes and to protect them from unreasonable intrusion by unrequested and unwanted solicitation and canvassing and perpetration of fraud or other crimes. It is framed with deep respect for the principles embodied in the constitutions of the United States and the Commonwealth of Massachusetts and attempts to achieve a workable balance between the right of free speech and the right of privacy. It is intended to be framed narrowly and construed strictly to achieve its purpose by imposing certain restrictions as to the time, place and manner in which solicitation and canvassing are conducted.

It is not intended to be applied to activities for religious, political, newspaper distribution or public policy purposes or other non-commercial purposes, , regardless of whether such activities include acts that would otherwise constitute soliciting or canvassing entitled to protection under the First Amendment to the United States Constitution.

§#-2. Definitions

A. "Solicitation or Canvassing" means traveling by foot, motor vehicle or any type of conveyance, from place to place, from house to house, or from street to street, for salary, commission or other remuneration, whether on behalf of oneself or of another person, firm or corporation and:

- (1) Selling, leasing or taking orders for the sale of any goods, wares, merchandise or services whatsoever, including without limitation books, periodicals, food, and home improvement services, or attempting to so sell, lease or take orders, whether or not advance payment on such sales is collected; or
- (2) Seeking or requesting donations of money, goods or services for association, organization, corporation or project wholly or in part for commercial purposes or by a professional solicitor or commercial co-venturer for a charitable or other non-commercial organization.
- (3) seeking to obtain information on the background, occupation, economic status, political affiliation, attitudes, viewpoints, or the like of the occupants of a residence for the purpose of selling or using such data, wholly, or in part, for commercial purposes;
- (4) person-to-person distribution of literature, periodicals, or other printed materials for commercial purposes, but shall not include placing or dropping off printed materials on the premises;
- (5) seeking to enlist membership in any organization for commercial purposes; or
- (6) seeking to present, in person, organizational information for commercial purposes.

B. "Residential property" includes without limitation each individual dwelling unit.

C. "Charitable Organization," "Professional Solicitor" and "Commercial Co-venturer" shall be defined as set forth in Chapter 68, Section 18, of the General Laws.

§#-3. Prohibition and Requirements

- A. No person shall engage in solicitation or canvassing in or upon any private residential property in the Town of Georgetown, and no firm, corporation, organization or other entity shall arrange for any person to engage in solicitation or canvassing in or upon any residential property, without first registering with the Chief of Police or his designee not less than three (3) days before commencing such solicitation or canvassing and obtaining from the Chief of Police or his designee a certificate evidencing such registration;
- B. Persons engaged in solicitation or canvassing shall carry such certificate or registration while so engaged and shall produce such certificate upon the request of a police officer;
- C. Immediately upon encountering an occupant of any residential property, a person engaged in solicitation or canvassing shall present such certificate of registration for inspection and inform the occupant of the nature and purpose of his business and, if he is representing an organization, firm or other entity, the nature and purpose of such organization, firm or other entity.
- D. Each person engaged in solicitation or canvassing in or upon any residential premises shall immediately leave such premises upon the request of the occupant;
- E. No person shall engage in solicitation or canvassing in or upon any residential property upon which is displayed a sign prohibiting trespassing, solicitation or canvassing;
- F. No person shall engage in solicitation or canvassing in or upon any residential property without express prior permission of an occupant, before 9:00 a.m. or after 9:00 p.m. where there is no sign posted otherwise limiting solicitation or the hours of solicitation or such other activities;
- G. No person engaging in solicitation or canvassing shall misrepresent in any way his true objective, status or mission or that of any organization on behalf of which he is so engaged;
- H. No person shall solicit, canvass or conduct any other activity at any residence in a threatening, abusive or illegal fashion;
- I. Persons engaging in solicitation or canvassing shall comply with all federal, state and local laws and regulations, including but not limited to consumer protection laws such as MGL c. 93, 93A and 255D.

§#-4. Registration

- A. Application - Persons seeking registration certificates in accordance with this Bylaw shall apply therefor, not less than three (3) days before commencing solicitation or canvassing in the Town of Georgetown. Such application shall be signed under the penalties of perjury and shall contain the following information on a form provided by the Chief of Police or his designee:
 - (1) Applicant's name;
 - (2) Applicant's business, residence and local address;
 - (3) Applicant's business, residence and local telephone numbers;
 - (4) Applicant's date of birth;
 - (5) Applicant's driver's license number and state of issue;
 - (6) Applicant's sex, race, height, weight, hair color and eye color;
 - (7) A copy of a photograph identification to the Police Department at the time of application;
 - (8) Length of time for which applicant seeks to conduct business in the Town of Georgetown;
 - (9) Description of the nature of the business and the goods or services to be sold or purpose(s) for which donations are to be requested;
 - (10) Name, home office address and home office telephone number of applicant's employer, if any, or statement of self-employment;
 - (11) If applicant is operating or being transported by a motor vehicle, the year, make, model, color, registration number, state of registration, owner's name and address of each such vehicle.
- B. Fee Structure - Upon filing such application each applicant shall pay a nonrefundable filing fee in the

amount of \$25.00 in the form of a check made payable to the Town of Georgetown.

§#-5. Investigation and Issuance

- A. Upon receipt of an application for registration the Chief of Police or his designee shall cause to make an investigation of the applicant's background and reputation. Within three (3) days of the filing [of] such application the Chief of Police or his designee shall either approve such application and cause the certificate of registration to be issued or deny such application, stating the reason(s) for such denial. Failure of the Chief of Police or his designee to so act within three (3) days shall constitute approval of said application.
- B. Grounds for denial shall include but are not limited to the following:
- (1) A conviction in any state or federal court of the United States or any court of a territory of the United States for any of the following named offenses committed within seven (7) years prior to the date of such shall constitute grounds for denial of such application: burglary, breaking and entering, larceny, robbery, receiving stolen property, assault, fraud, sexual misconduct as specified in Chapter 265, Sections 13B and 22 through 24, and Chapter 272, Section 53A of the General Laws, unlawfully carrying weapons, or the attempt of any such offense;
 - (2) A person who is a sex offender required to register with the Sex Offenders Registry Board and who is finally classified as a Level 2 or Level 3 Sex Offender, as such persons have been found to have a moderate to high risk of re-offense and pose a substantial degree of dangerousness to minors and other person vulnerable to becoming victims of sex crimes;
 - (3) The failure to include any of the information requested in the application.

§#-6. Contents of Certificate

Each certificate of registration shall contain the signature of Chief of Police or his designee and shall show the name, the name of the employer of the holder of said certificate, if any, address and telephone number of the holder of said certificate as well as the date of issue and registration number. Additionally, each certificate will include proof of payment to the Town of Georgetown as described in Section 4.

§#-7. Appeal

- A. Any applicant aggrieved by the action of the Chief of Police in denying such application or in revoking such certificate of registration may appeal in writing to the Board of Selectmen within seven (7) days of the action completed. The Board of Selectmen shall hold a hearing and render a decision within thirty (30) days of the date the appeal is received.
- B. If the Board of Selectmen fails to render a decision within thirty (30) days the appeal shall be deemed to be upheld.

§#-8. Expiration of Certificate

Each certificate of registration issued pursuant to this Bylaw shall expire 90 days from date of issue.

§#-9. Transfer of Certificate

No certificate of registration may be transferred to any other person or entity.

§#-10. Revocation of Certificate

The Chief of Police or his designee may revoke the certificate of registration of any solicitor or canvasser for violation of any provision of this Bylaw, or any applicable state or federal laws governing soliciting and canvassing, or for providing false information on the application. The Chief of Police or his designee shall deliver written notice to the holder of the registration in person, or send to the holder by certified mail at the address set forth in the application.

§#-11. Duties of Police Department

The Police Department shall keep a record of all certificate of registration, including registration numbers, and application thereof, for a period of six (6) years after application. Enforcement of this Bylaw shall be by the Chief of Police, or his designee, by any available means in law or equity, including but not limited to enforcement by criminal complaint filed by the Police Department.

§#-12. Exceptions

The provisions of this Bylaw shall not apply to the following persons:

- A. Any person exempted under Chapter 149, Section 69, children as newspaper vendors, or any other General Law.
- B. Route salespersons or others having established customers making periodic deliveries to such customers, including but not limited to news carriers.
- C. Any officer or employee of the Town of Georgetown, county, state or federal government on official business.

§#-13. Severability

If any section, subsection, sentence, clause, phrase or portion of this Bylaw shall be declared invalid or held unconstitutional by any court of last resort, the remainder shall continue in full force and effect.

§#-14. Penalty

Whoever violates any provisions of this Bylaw shall be liable to a penalty of one-hundred dollars (\$100) for the first offense and two hundred dollars (\$200) for each subsequent offense.

MOTION: David Surface moved and it was seconded by Robin O'Malley to approve Article 25 as printed in the Town Warrant.

The Finance Committee recommends approval of this article 5-0-1

EXPLANATION: Lt. Don Cudmore explained that they receive many complaints about soliciting. The Police Dept. has no authority to do any background checks or prevent this from happening without a bylaw. This bylaw pertains to "for profit agencies" and not girl scouts, boy scouts, religious or political groups. Jim DiMento stated he was not in favor of this article.

ACTION:By a show of hands, this article passed by a majority

Article 26: Dog Licensing Fees

To see if the Town will vote to amend the Code of the Town of Georgetown, Chapter 15 Section 10, Subsection A Dog Licensing Fees by deleting Subsection A and replacing it as follows:

- A. For any one (1) spayed or neutered dog \$10.00
- For any one (1) intact dog \$15.00

or take any other action in relation thereto.

MOTION: Kathy Roche made a motion and it was seconded by Robin O'Malley to approve Article 26 as printed in the Town Warrant.

The Finance Committee recommends approval of this article 6-0

ACTION: By a show of hands, this article passed by a majority

The Moderator will call out Article 27 by letter 1 by 1. If you have any questions or doubt, call out "hold" and it will be voted on separately. We will pass this by a unit unless held with the exception of H & I which require a 2/3rds vote.

Article 27: Community Preservation Committee

A: Community Preservation General Budget

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2014 Community Preservation budget and to appropriate, pursuant to G.L. Ch. 44B §6, from the Community Preservation Fund a sum of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2014; and further, pursuant to G.L. Ch. 44B §6, to reserve for future appropriation from Community Preservation Fund estimated annual revenues the following amounts as recommended by the Community Preservation Committee: a sum of money for open space, including land for recreational use; a sum of money for historic resources; and a sum of money for community housing; as well as sum of money to be placed in the 2014 Budgeted Reserve for general Community Preservation Act projects or purposes recommended by the Community Preservation Committee, as follows:

Appropriations:

\$21,000 (less than 5% of the estimated FY revenues) to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for the Fiscal Year;

Reservations:

\$65,000 (>10% of the estimated FY revenues) for open space, including land for recreational land use; and

\$65,000 (>10% of the estimated FY revenues) for historic resources; and

\$65,000 (>10% of the estimated FY revenues) for community housing;

or take any other action in relation thereto.

B: Community Preservation Community Housing Category, "Housing Authority Community Building"

To see if the Town will vote, pursuant to G.L. c.44B, to appropriate from Community Preservation Fund Community Housing Reserve Account, the amount of \$26,700 (Twenty six thousand seven hundred dollars) as a grant to the Housing Authority for the support of community housing, and in particular for rehabilitation and improvement of the Community Building located at Trestle Way Housing Complex and also for installation of storm doors at the

Jewett Street Affordable Housing Complex; and to authorize the Board of Selectmen, in consultation with the Community Preservation Committee, to enter into a grant agreement with said Housing Authority setting forth the terms and conditions of the grant. Any funds from this appropriation remaining unspent after a period of 3 years from the date of the approval of this article will be returned to the Community Preservation fund only after a vote by the Community Preservation Committee determining that it is unlikely the remaining appropriated funds will need to be spent to this effect;

or take any other action in relation thereto.

C: Community Preservation Community Housing Category, “Affordable Housing Trust Grant”

To see if the Town will vote, pursuant to G.L. c. 44B, to appropriate from Community Preservation Fund Community Housing Reserve Account, the amount of \$100,000 (One hundred thousand dollars) as a grant to the Georgetown Affordable Housing Trust for the purposes of Affordable Housing initiatives consistent with the Trust’s Articles of Incorporation and the accepted Town of Georgetown Affordable Housing Production Plan and to authorize the Community Preservation Committee to enter into a grant agreement with the Georgetown Affordable Housing Trust setting the terms for such grant, which may include a requirement that the owners of any dwellings subsequently receiving any of these appropriated monies from the Trust grant to the Town an Affordable Housing Restriction in said dwellings, and further, to authorize the Board of Selectmen to accept such restrictions;

or take any other action in relation thereto.

D: Community Preservation Historic Resources Category, “Central Fire Company Historic”

To see if the Town will vote, pursuant to G.L. c.44B, to appropriate from Community Preservation Fund Historic Reserve Account, the amount of \$7,500 (Seven thousand five hundred dollars) for the costs related to the restoration and display of the Historic Central Fire Company antiquities; and to authorize the Board of Selectmen, in consultation with the Community Preservation Committee, to enter into all agreements and execute any and all instruments for any grants to defer the costs associated with this initiative. Any funds from this appropriation remaining unspent after a period of 3 years from the date of the approval of this article will be returned to the Community Preservation fund only after a vote by the Community Preservation Committee determining that it is unlikely the remaining appropriated funds will need to be spent to this effect;

or take any other action in relation thereto.

E: Community Preservation Historic Resources Category, “Historic Brocklebank Museum Restoration and Rehabilitation”

To see if the Town will vote, pursuant to G.L. c.44B, to appropriate from Community Preservation Fund \$52,000 (Fifty two thousand dollars) from the Community Preservation Fund

Historic Reserve Account, for the restoration and rehabilitation of the Samuel Brocklebank Museum including all costs incidental and related thereto, and to authorize the Board of Selectmen, in consultation with the Community Preservation Committee, to enter into a grant agreement with the Georgetown Historical Society setting the terms for such grant, and further, any funds from this appropriation remaining unspent after a period of 3 years from the date of the approval of this article will be returned to the Community Preservation fund only after a vote by the Community Preservation Committee determining that it is unlikely the remaining appropriated funds will need to be spent to this effect;

or take any other action in relation thereto.

F: Community Preservation Historic Category “Camp Denison Historic Preservation” Phase 3

To see if the Town will vote, pursuant to G.L. c.44B, to appropriate from the Community Preservation Fund Historic Reserve Account the amount of \$59,199 (Fifty nine thousand one hundred and ninety nine dollars) and \$801 (eight hundred and one dollars) from the Community Preservation Fund Undesignated Account for a total of \$60,000 (Sixty thousand dollars) to fund engineering, permitting and implementation of improvements as recommended by the Georgetown Conservation Commission, in order to preserve, protect and rehabilitate the Camp, including the restoration and preservation of the access from the main entrance to the lodge area inclusive of culvert rehabilitation; the control of runoff and erosion occurring around the historic lodge; the restoration and preservation of the access from the lodge area to the waterfront; and the installation of a new septic system and the associated facilities for the Historic campground cabins. Any funds from this appropriation remaining unspent after a period of 3 years from the date of the approval of this article will be returned to the Community Preservation fund only after a vote by the Community Preservation Committee determining that it is unlikely the remaining appropriated funds will need to be spent to this effect; or take any other action in relation thereto.

G: Community Preservation Historic Resources Category, “Historic Documents Preservation”

To see if the Town will vote, pursuant to M.G.L. c.44B, to appropriate from Community Preservation Fund Historic Reserve Account, the amount of \$15,000 (Fifteen thousand dollars) for the purpose of preserving and archiving the Town’s historic records, including but not limited to the Town’s Annual Reports and historic Tax Record ledger books dating back to 1838, in an electronic format acceptable to the Georgetown Historical Commission. Any residual funds from this appropriation remaining unspent after a period of 3 years from the date of the approval of this article will be returned to the Community Preservation fund only after a vote by the Community Preservation Committee determining that it is unlikely the remaining appropriated funds will need to be spent for the above stated purposes; or take any other action in relation thereto.

J: Community Preservation Open Space Category, “American Legion Park Rehabilitation”

To see if the Town will vote, pursuant to M.G.L. c.44B, to appropriate \$117,753 (one hundred seventeen thousand seven hundred fifty three dollars) from the Community Preservation Fund

Open Space Reserve and \$17,247 (seventeen thousand two hundred and forty seven dollars) from the Community Preservation Fund Undesignated Account for a total of \$135,000 (One hundred thirty five thousand dollars) to fund the engineering, legal, permitting, and construction costs, including all costs incidental and related thereto the rehabilitation of the American Legion Park. This will include the replacement of playground equipment; the installation of a Pavilion; and improvements to comply with the Americans with Disabilities Act and other federal, state or local building, access, and safety codes; and further to authorize the Board of Selectmen and Parks and Recreation Commission, in consultation with the Community Preservation Committee to enter into any and all agreements and execute any and all instruments for any grants to defer the costs associated with the rehabilitation of this Facility. Any funds from this appropriation remaining unspent after a period of 3 years from the date of the approval of this article will be returned to the Community Preservation fund only after a vote by the Community Preservation Committee determining that it is unlikely the remaining appropriated funds will need to be spent to this effect;

or take any other action in relation thereto.

MOTION: Harry LaCortiglia moved and it was seconded by David Bjork to approve Article 27 Sections A through G & J as printed in the warrant.

ACTION: By a show of hands, Sections A through G & J passed by a majority

H: Community Preservation Open Space Category, “Conservation Restriction ”

To see if the Town will appropriate \$150,000 (one hundred fifty thousand dollars) to pay costs of acquiring a conservation restriction on the following property: Wheeler Brook Farm, 57 Jewett Street, Georgetown, Assessor map 17 parcels 94P, 110, 112, including the payment of all costs incidental and related thereto; to determine whether this amount should be raised by taxation, transfer from available funds, borrowing or otherwise provided, or to take any other action relative thereto.

MOTION: Harry LaCortiglia moved and it was seconded by Jim DiMento that \$150,000 (one hundred fifty thousand dollars) is appropriated to pay costs of acquiring a conservation restriction on the following property: Wheeler Brook Farm, 57 Jewett Street, Georgetown, Assessor map 17 parcels 94P, 110, 112, including the payment of all costs incidental and related thereto, and that to meet this appropriation, \$18,933 (eighteen thousand nine hundred thirty three dollars) shall be transferred from the Undesignated Account of the Community Preservation Fund, and the Treasurer, with the approval of the Selectmen, is authorized to borrow \$131,067 (one hundred thirty one thousand sixty seven dollars) under and pursuant to Chapter 44, Section 7(3) and Chapter 44B of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

The Finance Committee did not recommend approval of this article. The vote was 3-3

DISCUSSION: Vanessa Johnson from Essex County Greenbelt explained that this would put a restriction on the land so that it would forever be farm land. The 18 acres would never be able to

be developed. This restriction excludes the house. Jim DiMento stated that this is currently under 61A so the Town would have first refusal on the land. This is not a good deal for the Town but only for Bob Morehouse. Laura Repplier, Rob Hoover, Chuck Dickson, Lilabeth Wies spoke in favor of supporting this article.

Sandy Gerraughty explained why she did not vote for this as a Fincom member. 1) We are not purchasing this property, it remains Bob's 2) There are only a few developable parcels, not the entire 18 acres 3) The homeowner can put a conservation restriction on his own property, why spend the taxpayers money to do this. It's a bad precedent to set and there's no asset to the town..We're spending \$150,000 of the taxpayers dollars and we have no rights, it's still private property. Nicole Curleo asked why doesn't Bob put this restriction on himself and Vanessa Johnson responded that the property owner can do that but it's only good for 30 years. It's only perpetual if approved by the state and the landowner would like it to be on there forever. Phil Cannon doesn't see it as being a good investment if the Town can't use it. Gary Fowler stated that we are borrowing money to do this and he's not a supporter of doing that to fund this. George Agganis would like to wait until Bob is ready to sell before giving him \$250,000.

Kathy Roche made a motion to move the question and it was seconded by Harry LaCortiglia. The vote was 155 Yes and 148 No. This does not pass by a 2/3rds. We will continue the discussion.

Bob Morehouse (property owner) said the Town has purchased other property in Town that we don't even use. He just wants this to remain a farm. This is the only farm in Town where you can come get fresh produce and have your children come in and pet the animals.

Steve Smith said that while there are many truths to everyone's point, we should preserve this for future generations, and he supports the farm.

ACTION: By a show of hands, the Moderator declares this passes by 2/3rds.

I: Community Preservation Open Space Category, "High School Fields Rehabilitation"

To see if the Town will appropriate \$1,250,000 (one million two hundred fifty thousand dollars) to pay costs of rehabilitating a High School Athletic Field, including the payment of all costs incidental and related thereto; to determine whether this amount should be raised by taxation, transfer from available funds, borrowing or otherwise provided, or to take any other action relative thereto.

MOTION: Harry LaCortiglia moved and it was seconded by David Surface that \$1,250,000 (one million two hundred fifty thousand dollars) is appropriated to pay costs of rehabilitating a High School athletic field, including the payment of all costs incidental and related thereto, and that to meet this appropriation, \$250,000 (two hundred fifty thousand dollars) shall be transferred from the Open Space Reserve of the Community Preservation Fund, and the Treasurer, with the approval of the Selectmen, is authorized to borrow \$1,000,000 (one million dollars) under and pursuant to Chapter 44, Section 7(25) and Chapter 44B of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

The Finance Committee recommends approval of this article 5-0

DISCUSSION: Mark Perry explained the GAA and the Schools would like to see a synthetic turf field installed. The GAA (as a private entity) will purchase and install the turf and CPA will rehabilitate it. This is the best investment for sports. 50% of our games are not played here based on the conditions of this field, it's dangerous. Lights will also be installed so night games can be played here instead of out of town.

Robert Kelley asked who would do preventative maintenance and pay for this. Mark stated the Schools.

Rusty Ricker motioned to move the question and it was seconded by Jim DiMento.

ACTION: This motion passed by a 2/3rds vote.

Back to the main motion:

ACTION: By a show of hands, this article passed by a 2/3rds vote.

Article 28: Community Preservation Committee By-law Amendment (ATM13-28)

To see if the Town will vote to amend Section 44-1 of the Town's By-law, Community Preservation Committee by deleting the strikethrough text and adding the following language in bold, or take any other action in relation thereto.

§ 44-1. Establishment; composition; terms; appointment authority; removal.

A. There is hereby established a Community Preservation Committee, consisting of ~~seven~~ **nine** voting members pursuant to MGL c. 44B.

B. The composition of the Committee, the appointment authority and the term of office for the Committee members shall be as follows:

(1) Composition.

(a) One member of the Conservation Commission as designated by the Conservation Commission for a term of three years.

(b) One member of the Planning Board as designated by the Planning Board for a term of three years.

(c) One member of the Historical Commission as designated by the Historical Commission for an initial term of one year and thereafter for a term of three years.

(d) One member of the Parks and Recreation Commission as designated by the Parks and Recreation Commission for an initial term of one year and thereafter for a term of three years.

(e) One member of the Housing Authority as designated by the Housing Authority for an initial term of one year and thereafter for a term of three years.

(f) One member of the Open Space Committee as designated by the Open Space Committee for an initial term of two years and thereafter for a term of three years.

(g) One member of the Affordable Housing Task Force ~~or Affordable Housing Trust~~ as designated by the Affordable Housing Task Force ~~Trust~~ for an initial term of two years and thereafter for a term of three years.

(h) One member of the Finance and Advisory Committee as designated by the Finance and Advisory Committee for an initial term of two years and thereafter for a term of three years.

(i) One Town resident as designated by the Board of Selectmen for an initial term of two years and thereafter for a term of three years.

MOTION: Sandy Gerraughty moved and it was seconded by Robin O'Malley to amend Section 44-1 of the Town's By-laws, Community Preservation Committee, and approve Article 28 as printed in the Town Warrant.

The Finance Committee recommends approval of this article 6-0

This article increases the board from 7 to 9 members. Harry LaCortiglia stated CPC was not consulted on this article. Chris Rich asked who appoints CPC. We already have a quorum problem for meetings with 7 members how will we do it with 9. David Surface explained that various boards appoint the members.

ACTION: By a show of hands, this article passes by a majority.

Article 29: Senior Citizen Property Tax Abatement

To see if the Town will vote to increase the sum of money included in the overlay account from \$10,000 (ten thousand) to \$15,000 (fifteen thousand) for the purpose of providing Senior Citizen Property Tax Work-Off abatements for Fiscal Year 2014, which work-off abatement program was authorized by the Town's acceptance of G.L. c.59, §5K, thereby increasing the size of the program from 20 to 30 participants, or take any other action in relation thereto.

MOTION: David Surface moved and it was seconded by Robin O'Malley to increase the sum of money included in the overlay account from \$10,000 (ten thousand dollars) to \$15,000 (fifteen thousand dollars) for the purpose of providing Senior Citizen Property Tax Work-Off abatements for Fiscal Year 2014, which work-off abatement program was authorized by the Town's acceptance of G.L. c.59, §5K, thereby increasing the size of the program from 20 to 30 participants.

The Finance Committee recommends approval of this article 5-0

David Surface stated we are trying to add spots for seniors to help with their taxes.

ACTION: By a show of hands, this article passed by a majority

Article 30: Street Acceptance-Abbey Road

To see if the Town will vote to accept as a public way the roadway known as "Abbey Road" as heretofore laid out by the Board of Selectmen and shown on a plan of land entitled: "Abbey Road a Definitive Subdivision Plan of Land in Georgetown (Essex County), Mass., prepared for: Francis S. Sullivan, 29 Marlboro Road, Georgetown, Mass." dated February 6, 1998, revised to May 21st, 1998 as prepared by H.L. Graham Associates, Inc. and recorded with the Essex South District Registry of Deeds in Plan Book 327, Plan 5, a copy of which is on file

with the Town Clerk, and to authorize the Board of Selectmen to acquire, on behalf of the Town, by purchase, gift, eminent domain or otherwise, rights sufficient to use said Abbey Road for all purposes for which public ways are used in the Town of Georgetown, or to take any other action in relation thereto.

MOTION: Harry LaCortiglia moved and it was seconded by Chris Rich to approve Article 30 as printed in the Town Warrant.

The Finance Committee recommends approval of this article 5-0

ACTION: By a show of hands, this article passed by a majority

Article 31: Street Acceptance-Cedar Lane

To see if the Town will vote to accept as a public way the roadway known as “Cedar Lane” as heretofore laid out by the Board of Selectmen and shown on a plan of land entitled: “Definitive Subdivision Plan, Cedar Lane, Georgetown, Massachusetts, Definitive Subdivision Plan, Prepared for: Nancy M. Singleton, 12 Charring Cross, Lynnfield, MA 01940”, dated July 25, 1994, last rev. March 21, 1995, prepared by Eastern Land Survey, Inc., and recorded with the Essex South Registry of Deeds in Plan Book 299, Plan 90, a copy of which is on file with the Town Clerk, and to authorize the Board of Selectmen to acquire, on behalf of the Town, by purchase, gift, eminent domain or otherwise, rights sufficient to use said Cedar Lane for all purposes for which public ways are used in the Town of Georgetown, or to take any other action in relation thereto.

MOTION: Harry LaCortiglia moved and it was seconded by Chris Rich to approve Article 31 as printed in the Town Warrant

Finance Committee recommends approval of this article 5-0

ACTION: By a show of hands, this article passed by a majority

MOTION TO ADJOURN: Harry LcCortiglia moved and it was seconded by Chris Rich to adjourn

ACTION: By a voice vote, this passed by a majority

The time is 9:27 PM

A true copy attest:

Janice M. McGrane, Town Clerk

