



**BOARD OF SELECTMEN  
AGENDA**

**February 1, 2010**

**6:15 P.M - Call meeting to order**

**Approve Minutes: January 19, 2010**

**Approve Warrants:**

PW # 10-30	\$ 112,022.99
DW #10-28A	\$ 19,333.15
BW #10-31	\$ 725,369.72

**NEEDS ATTENTION**

1. See attached letter from Jon S. Tilton regarding sand blowing from Pines. Pictures are in folders on Chairman's Desk.
2. See legal memo from Kopelman & Paige regarding changes to Open Meeting Law that all Board and Committee members need to review. The changes become effective July 1, 2010. I will provide a copy to each board/committee.
3. See attached request from Electrical Inspector Al Seavey to increase electrical fees. A list of the fees are attached hereto for your approval. Vote needed to approve.
4. Vote needed-Reserve Fund Transer of \$5,000.00 to Unemployment for the purpose of funding shortfall due to Federal requirement to pay back unemployment in current fiscal year; and \$2,300.00 to Police Expense to replace transmission in patrol car.
5. Resident Joe Ryan delivered a petition to the town clerk with 321 signatures of which 301 were certified to revoke the Community Preservation Act (CPA). 244 signatures were required. I've enclosed one page of the petition in your packet.
6. See complimentary letter received from Attorney Camille Miragliotta Daly regarding dealings with Conservation Chairman Dempsey and Assistant Lori Felch.
7. See letter from Attorney Jeff Curtis regarding Unit 37 Groveland Commons. Foreclosure to take place on March 3, 2010 at 11:00 A.M.

**AGENDA APPOINTMENTS**

**6:45 P.M.** – Police/Fire Signal Operators (Dispatchers) – questions regarding Sheriff's plan for County Dispatching

**7:15 P.M.** – Pentucket School Committee reps at your request

**Next Meeting: Tuesday, February 16 , 2010 @ 6:15 P.M.**

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Meeting called to order at 6:27 P.M. at Town Hall.

**Present** Elizabeth A. Gorski, Donald N. Greaney, and Chairman William H. Darke.

**Approval of Minutes**

Moved Gorski, seconded Greaney, and it was unanimously

**VOTED:** To approve the Minutes of the meeting of January 19, 2010, as presented.

**Approval of Warrants**

Moved Greaney, seconded Darke, and it was

**VOTED:** To approve Payroll Warrant #10-30.  
GREANEY, DARKE – "AYE"; GORSKI – "ABSTAIN"

Moved Gorski, seconded Greaney, and it was

**VOTED:** To approve weekly Warrants #BW10-31 and #DW10-28A.

**Correspondence**

- Board reviewed letter and pictures from Main Street resident Jon Tilton regarding sand blowing from Pines sand removal project. Selectman Greaney told the Board that he had sent Tilton an email when he first reported issues and the Highway Department installed a new silt fence since the email was sent. Chairman Darke asked Greg if he knows if the contractor is aware of the laws he needs to follow. Darke asked Greg to pass the laws Tilton provided on to the contractor. Chairman Darke asked that the abutters, contractor and Selectmen walk the site again as soon as the weather improves.
- Electric Inspector Albert Seavey submitted a list of increases to electrical rates. Chairman Darke asked that we obtain rates from area towns to see where Groveland fits in; that once the Selectmen review the area town's rates, they will make a decision on Mr. Seavey's request.
- Resident Joseph Ryan submitted a petition for Town Meeting and Town Election Ballot to revoke the Community Preservation Act in Groveland. 321 signatures were presented to the Town Clerk with 301 certified. 244 signatures were required. The petition will be sent to Town Counsel for review.
- Chairman Darke read aloud a letter received from Attorney Camille Miragliotta Daly complementing Conservation Chairman Dempsey and Conservation Assistant Lori Felch stating "they were informational, helpful and went beyond the duty to obtain a Certificate of Compliance on an old Order of Conditions. I only wish more Towns were as efficient as Groveland. Great Job!!"
- Reviewed letter from Attorney Jeff Curtis regarding Unit 37 Groveland Commons Foreclosure. Board asked that their Assistant to contact Town Counsel and inquire if the town can purchase the unit and re-sell same with an affordable restriction on it for perpetuity.

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At the request of the Finance Director and upon motion duly made by Gorski, seconded by Greaney, it was unanimously

**VOTED:** To approve Reserve Fund Transfers of \$5,000.00 to Unemployment Account for the purpose of funding shortfall due to federal requirement to pay back unemployment in current fiscal year; and to transfer \$2,300.00 to Police Expense to pay for rebuilding a transmission in a cruiser.

**Request from Planning Board member Carole Gist**

Selectmen reviewed an email sent to their Assistant from Planning member Carole Gist. Carole wrote that the Selectmen and ZBA had requested a cross-reference of the old to new zoning bylaws so as to facilitate the review of proposed changes. The request had been made at a Selectmen's meeting with Zoning and Planning members present on November 9<sup>th</sup>, 2009. Gist wrote that the Planning Board has received an estimate of \$2,700.00 for this cross-referencing and requested that the Selectmen approve the expenditure before the Planning Board authorizes the work to be done. Gist explained in the email that her Board has \$3,500.00 in carryover funds from FY'09 that are to be used in regards to the zoning bylaw changes.

The Selectmen discussed the request and although they feel the cross-referencing should have been done to begin with, upon motion duly made by Gorski, seconded by Greaney, it was unanimously

**VOTED:** To approve the Planning Board's request to spend \$2,700 of the \$3,500 FY'09 carry-over to have a cross-reference of the old to the new Zoning Bylaws prepared provided that the remaining \$800 will be sufficient to advertise public hearings needed for the zoning bylaw changes and for sufficient copies needed to distribute prior to and/or at the public hearings; that the \$2,700 will take care of finishing the Zoning Bylaw rewrite all the way through to the public hearings.

**Dispatchers regarding potential change to County Dispatching**

Dispatchers Ed Fournier, Victoria Ladd and Cynthia Batista met with the Selectmen to talk about the potential change to County Dispatching and their thoughts on why the town should continue to maintain its own. Fournier told the Board that a lot of people come to the station and the only way for the town to save any money is that they would have to close the station. All three employees stated they do a lot more than just dispatch calls; that they give out fire permits, take calls for the highway, electric and water/sewer departments; assisted citizens that walk in to the station for medical needs; and monitor prisoners. Ladd told the Board that the dispatchers and officers know each other, can read into their tone of voice if there is a problem going on; that they check with them constantly; that a regional dispatcher couldn't do that. Ladd told the Board that the dispatchers and officers are a family and that they know each other well. Also briefly mentioned was the safe haven law. Selectman Greaney asked if they had attended any of the Sheriff's talks on the Country Dispatching and Ladd stated they had not; that they had just heard about them. Greaney told the Dispatchers that the Sheriff had stated at a meeting in West Newbury that the Selectmen had attended that pretty much all of what you just said you do would be done by the county dispatchers.

Batista told the Board that Groveland is a high level of service; that they are very active with the officers and that they don't just answer calls; they are involved and care. Darke told the employees that the Selectmen agree that to switch to county dispatching would change the service our residents are used to. Darke said that he would want the townspeople to make the decision, not the Board of Selectmen. Finance Director Labrecque was asked how much the town would save by making the change and he responded that our budget is currently at

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\$250,000; that the estimated cost to change is \$117,000 and the town would save about \$133,000. Selectman Gorski told the dispatchers that she knows what they do because her husband and his father served on departments and her son works for the town department. Gorski stated she would like to hear from Georgetown's Chief Mulligan to hear his reasons for not going with the county; that there are a lot of unanswered questions and she would like to hear from another professional.

Chairman Darke again stated that he feels it is something we should put out to Annual Town Meeting and see if the people want us to make such a change. The Selectmen thanked the dispatchers for coming over and speaking with them about the potential change.

**Groveland's Pentucket School Committee Reps**

Jack Willett, Rich Perrotti and Joe D'Amore met with the Board and Finance Committee to discuss Pentucket's FY2011 budget request. Finance Director Labrecque told the school committee members that it's a good idea for us all to meet several times a year; that you hear the school's needs all year long and need to also hear the town's.

The parties discussed the concern that if two of the three towns pass an override and the third doesn't, the third town would be crippled because they would have to find a way to pay the override amount from their regular budget. Perrotti told those present that the School Committee has not yet discussed the budget in its totality, only a portion of it.

Also discussed was the Superintendent doing the Business Manager's job. Willett stated that the School Committee asked their auditors for their recommendation on that. D'Amore said the committee has not decided if it is a good idea or not; that they could save around \$106,000 if they didn't replace McWilliams. He also suggested the school may seek an override but there is a general reluctance to ask the towns for extra. Chairman Darke stated that if the towns had a budget they could look at that made sense, he personally could be in favor of a small override.

Labrecque told the committee members that health insurance is over stated by \$300,000 and Essex County Retirement by \$86,000. The concern that Bagnall is not getting the same amount of funding per student as the other elementary schools in the district was brought up again this year. Finance Board member Kowalski stated they have concerns about transparency issues; that the Superintendent acting as the Business Manager is of a great concern to them and smacks of a conflict. He told the committee members that they can't advocate that the town is not doing enough for our children when you look at the increases we have given the school. Chairman Darke stated the system is flawed; that we have the same conversations when we have money and when we don't. Kowalski stated that he believes there needs to be a separation of power between the Superintendent and the Business Manager positions. He also said, in his opinion, the Business Manager should report to the School Committee.

D'Amore asked how the Board feels about de-regionalizing. Chairman Darke responded that if we could be regionalized and everyone is on the same page, he personally would be in favor of it; that if that's not going to happen then he would be in favor of taking care of our elementary school.

Finance Chairman Husack said that transparency is definitely the big thing with the Finance Board; that some of the big increases in line items in the school's budget makes you wonder where the money is going. Kowalski said there is also a concern with the student numbers, asking if they include School Choice because 20-30% of our kids to schools outside the district. Finance Director Labrecque told the school committee members that when they negotiate contracts that total more than their budgets can afford it's a problem; that he would never ask the Board of Selectmen to sign a contract the town couldn't afford.

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D'Amore stated the three groups need to get together more often.

Chairman Darke thanked the school committee representatives for coming in to talk with the Board.

**Groveland Commons 40B Unit #37**

The Selectmen asked their Assistant to contact Town Counsel and ask if the town could buy the unit at auction, put an "affordable" restriction for perpetuity on it, and re-sell it.

**Adjournment**

There being no further business to come before the Board, moved Gorski, seconded Greaney, and it was

**VOTED:** To adjourn.  
Adjourned at 8:28 P.M.

Respectfully submitted,

Nancy Lewandowski  
Administrative Assistant