



**BOARD OF SELECTMEN
AGENDA**

May 10, 2010

6:15 P.M - Call meeting to order

Approve Minutes: April 12, 2010

Approve Warrants:

PW #10-44	\$ 114,555.11
DW #10-42A	\$ 17,294.86
BW #10-45	\$1,084,187.54

NEEDS ATTENTION

1. See attached proposal received from AFSCME regarding Dispatcher's contract negotiations. Will need Executive Session (MGL C. 39, 23B (3)) to discuss your counter proposal and who will serve on negotiating committee for you.
2. See confidential letter received from Attorney Hewig
3. See letter from MVPC asking that you attend a discussion on May 26th at 12 noon if you're interested in discussing regional ideas (shared services).
4. See request from Recreation Committee member Jen O'Malley requesting use of Central Fire for Groveland Day 2010 in case there is inclement weather.
5. See email answers to questions you asked regarding in-law apartments and the Special Permit being appealed (auto repair moving from Elm Park to Salem St). The latter should be discussed in Executive Session only due to litigation pending.
6. See letter from Gene Blatt, Chairman of Open Space Trails Committee requesting appointment of Alex Johnson, 461 Main Street.
7. Library Director Hoadley requests your approval to hold Vehicle Night in the town hall & library parking lots on Weds., July 28th from 6:00pm to 7:30 pm.
8. Highway contract has been agreed to. Copy with highlighted changes is attached.

AGENDA APPOINTMENTS

6:30 P.M. -- Mike Dempsey -- Webster property

Next Meeting: Monday, May 24, 2010 @ 6:15 P.M.

MINUTES
BOARD OF SELECTMEN
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Meeting called to order at 6:15 P.M. at Town Hall.

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

Minutes

Moved Greaney, seconded Darke, and it was

VOTED: To accept the Minutes of the Open and Executive Sessions of April 12, 2010, as presented.

Darke, Greaney – "Aye"; Gorski – "Abstain"

Warrants

Moved Greaney, seconded Darke, and it was

VOTED: To approve Payroll Warrant #PW10-44.

Darke, Greaney – "Aye"; Gorski – "Abstain"

Moved Greaney, seconded Gorski, and it was unanimously

VOTED: To approve Bill Warrant #BW10-45 and Deduction Warrant #DW10-42A.

Reorganization

Selectmen Gorski and Greaney congratulated Chairman Darke on his re-election to the Board another 3 year term. Darke ran unopposed and was re-elected to the Board on May 3, 2010.

Upon motion duly made by Gorski, seconded by Greaney, it was unanimously

VOTED: To re-organize the Board and name a new Chairman.

Upon motion duly made by Gorski, seconded by Darke, it was

VOTED: To nominate Donald N. Greaney to serve as Chairman of the Board effective immediately through the next Annual Town Election.

Selectman Greaney accepted the nomination and the gavel was passed to him by Selectman Darke.

Correspondence

- 1) The Board received an invitation from Merrimac Valley Planning Commission to attend a discussion on looking into shared services between communities which will be held on May 26 at 12 noon. Finance Director told the Board that he had responded that he would attend on behalf of the town.
- 2) Board reviewed two emails from town counsel regarding questions on zoning laws regarding Site Plan Review and In-Law apartments.
- 3) Board reviewed confidential letter received from Town Counsel William Hewig regarding the Haverhill Landfill.

Recreation Committee Request

Recreation member Jennifer O'Malley requested permission for the Recreation Committee to use the Central Fire Station to hold Groveland Day in in case of inclement weather. Selectman Darke expressed concern that doing so doesn't allow for everyone in town to attend but understood that a rain date won't work because of people's schedules.

Moved Gorski, seconded Darke, and it was

VOTED: To approve the Recreation Committee's request to use the Central Fire Station to hold Groveland Day in in case of inclement weather.

Open Space & Trails Committee

At the request and recommendation of OSTC Chairman Gene Blatt, and upon motion duly made by Darke, seconded by Gorski, it was unanimously

VOTED: To appoint Alex Johnson, 461 Main Street, Groveland to serve as a member on the Open Space & Trails Committee, said appointment effective immediately through June 30, 2010.

Request from Library Director Deb Hoadley

Library Director Hoadley requested permission to hold Vehicle Night in the town hall/library parking lots on Wednesday, July 28th from 6:00 p.m. to 7:30 p.m. Moved Gorski, seconded Darke, and it was unanimously

VOTED: To approve Vehicle Night being held in the town hall/library Parking lots on Weds., July 28th, 2010 between the hours of 6:00 p.m. to 7:30 p.m.

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Highway Department Contract

Moved Darke, seconded Gorski, and it was unanimously

VOTED: To accept the recently negotiated three-year renewal Contract between the Town, Groveland Highway Department and Teamsters Union.

Webster property-Wood Street

Michael Dempsey met with the Board briefly and showed them a plan of the Webster property, informing the Board that the Webster's had to sub-divide their property out of what they are selling to the town. Dempsey stated that the appraiser told him this small change does not affect the value of the property. Dempsey told the Board that seven acres remain with the Websters and the town will own 13.55 acres, more or less. Dempsey stated that Town Counsel advised that the Selectmen be shown the plan and vote to accept the amended Plan which is dated May 6, 2010. Finance Director Labrecque had several questions for Dempsey about the closing.

Moved Darke, seconded Gorski, and it was unanimously

VOTED: To accept the plan of Webster property on Wood Street presented to the Board by Dempsey.

Report from Selectman Greaney on Planning Board's May 6th meeting

Chairman Greaney reported to his fellow Board members that he came to town hall on May 6th at approximately 8:35 p.m. to attend the scheduled Planning Board meeting. Greaney recalled the following took place:

- I arrived at 8:35pm walked down the hall and heard discussion on how the appointment of Jim F. was going to happen. I believe they were voting on something to do with the appointment.
- I tried to open the door and it was locked.
- John S. opened the door and I asked if they were in executive session?
- No Walter said.
- I wished Jim F. good luck running next year against Carol. He said what do you mean? I said you pulled papers to run next year for PB. Carol is up next year.
- Walter then said something about kicking my ass!
- I ignored the statement, Then he and Jim said Anne Brodie is an idiot she doesn't know what she is doing we have to tell her what to do all the time!
- Walter then said we need to schedule to meet to appoint Jim for 5 years; that he had already talked to Bill Darke and it is in the newspaper article in front of me. I looked at the article and it was about the assessors position that no-one ran for.

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- I explained the proper process of appointing an appointed position and Walter said I was wrong but Bob O jumped in and said Walter you're wrong Don is right.
- Walter said he is always right and I said so far in my experience you are usually wrong quoting Mass Laws. Bob O again agreed!
- The meeting abruptly ended.

Chairman Greaney also informed the Board that O'Hanley had reported to him that Alan Macintosh of MVPC was working on getting information about the Valley Screw Machine Shop Building and Selectman Darke responded that the town doesn't need that building. Greaney stated he thinks the building should be taken down and had asked O'Hanley to have MVPC to push to have the building taken down.

The Board reviewed an email sent by Planning Board Chairman Sorenson requesting a joint meeting to appoint James Freer to a 5 year appointment. Selectman Darke stated that Town Meeting did change the Planning Board from appointed back to elected; that this year the Board of Selectmen make a three year appointment to the Board and next year the Planning Board will appear on the 2011 Annual Election Ballot. Darke stated that the Board of Selectmen do not make a joint appointment with the Planning Board for Freer's expired position on the Board.

Darke asked the Board's Assistant to invite the Planning Board in to discuss the Master Plan that they attempted to get passed at this year's Town Meeting. Darke stated that he has read through some of the plan; that it is nine years old and he would like them to explain it to the Selectmen.

Darke also stated that the Planning Board's attempt to change the Selectmen to a five member Board failed; that although the vote was close the majority said no. Darke commented that he is getting tired of all the stuff (trouble) the Planning Board has been doing; that this is why we (Board of Selectmen) asked that they be appointed; that the Selectmen are not against their regulations; that we have tried to correct issues that Town Counsel said were being done wrong and had tried in the past to get the Planning Board to meet with the Selectmen and work with them. Selectman Gorski agreed and said many people came to the Selectmen complaining they were being over charged and being forced to do surveys.

Town Clerk Anne Brodie was present and told the Board that she was told by one of the election workers that a Planning Board member had gone to former Town Clerk Richard Abbott and told him the Selectmen were all in the voting room counting ballots; that Abbott had told the election worker what had been told to him. **NOTE FOR THE RECORD:** None of the three Selectmen entered the voting room while the ballots were being counted nor were they all present in Town Hall that evening.

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Town Clerk Brodie also told the Selectmen that a Planning Board member came to her office the day after the Town Election; that he was all puffed up and not leaving until he received nomination papers from her; that she did give him blank papers and later informed the Planning Board Chairman that she is tired of being bullied by his department and that she would not put up with it any longer. Chairman Greaney suggested that the Clerk ask for the requests in writing and make sure the requester signs the written request; that people need to stop making up their own rules because they're not happy with a change. The Selectmen apologized to the Town Clerk for the way she is being treated by certain Planning Board members.

Pines Recreation Hill Removal

Chairman Greaney spoke of the Board walking the Pine's Recreation area a week ago where the hill removal project is being conducted and the back yard of one of the neighbors. The winds have been blowing the sand into the abutters property, onto their automobiles and all over their yard. Selectman Gorski reported that Groveland Landscaping went on site and cleaned up the sand that had accumulated since the owner had spent a weekend or two cleaning his property. Gorski reported that Road Commissioner Arakelian has worked with the contractor to get a large portion of the removal area covered with wood chips to limit the open area and had his men run a fire hose from the hydrant on Main Street up the hill so that the contractor can wet down the area as needed. The Board agreed that they should all be at any future meetings that may be called for this project.

Emails received from Town Counsel

The Board reviewed two emails received from Town Counsel in response to questions the Board and ZBA had discussed at a previous meeting. Selectman Darke asked that the Board's Assistant send one additional question of "Can it be a majority vote of the ZBA for modification of the Special Permit?"

Executive Session

Moved Darke, seconded Gorski, and it was

VOTED: To enter into Executive Session in accordance with MGL Chapter 32, Section 23B, subsection (3) for the purpose of preparing the town's counter proposal for the Dispatcher's contract negotiations..

GORSKI, DARKE, GREANEY – "Aye"

Executive Session was entered at 7:28 p.m. and closed at 7:38 p.m. The Board announced it will return to Open Session at the close of Executive Session for the sole purpose of adjourning the meeting. A copy of the Board's Executive Session Minutes are on file in a separate binder in the Administrative Assistant's Office.

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Adjournment

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

VOTED: To adjourn.
Adjourned at 7:39 P.M.

Respectfully submitted,

Nancy Lewandowski
Administrative Assistant