

MINUTES
BOARD OF SELECTMEN
SEPTEMBER 10, 2012

Meeting called to order at 7:00 P.M.

Present Elizabeth Gorski and Donald N. Greaney

Absent Chairman William H. Darke

All present stood for the Pledge of Allegiance.

Lease between Town and Light Department-Solar Project

Selectmen met with Light Commissioners Brady and Cross, Light Manager Mike Cloutier, Water Commissioners Willett, Sheehan and Adams, Superintendent Tom Cusick and Office Manager Pat Rogers. Also present was Finance Director Labrecque.

Cusick told the Board that the Light Department's attorney had quickly reviewed the changes town counsel had made to the Lease and that they had some concerns about several of the changes. He asked that counsel make himself available to their counsel on Tuesday to discuss the items of concern. Sections that were of concern were: Section 2.1, 2.2, 3.2, 4.2, 7.2(c), and 13. Both the Selectmen and Water Commissioners stated they had no problem with the lawyers discussing the Light Manager's concerns.

Selectman Greaney suggested that if it's not built in six months they won't be doing the project and Commissioner Brady responded that if it's not built by December 31st, 2012 they probably will not build.

Water Commissioner Willett told the Light Commissioners that his Board feels the insurance should be \$10million during construction in case something goes wrong and the site becomes contaminated. Cusick stated anytime they are doing construction in there he would like additional insurance. Cloutier responded that there will not be any fueling in Zone #1. Adams suggested they need to have a plan for where vehicles will be. Brady suggested the Water Commissioners make a list of what the contractor can do and can't do.

Cloutier telephoned Engineer Woody Cammett who is the consultant for ConEd and asked him to come to the meeting to answer some of the Water Commissioners questions/concerns. Cammett arrived shortly after being called and the Light and Water Commissioners left the Selectmen's meeting to continue discussion in the Water Office. Prior to leaving all three Boards agreed they could vote to sign the final Lease once the two attorneys speak and agree on what changes will be made. Woody was asked to work out details with the Water Commissioners so they can be sent to town counsel for review.

Moved Adams, seconded Sheehan, and it was

VOTED: To approve and sign the Lease provided by Town Counsel contingent upon town counsel and Light Department counsel reaching agreement on changing or leaving as is Sections 2.1, 2.2, 3.2, 4.2, 7.2(c) and 13. 3-0

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Moved Greaney, seconded Gorski, and it was

VOTED: To approve and sign the Lease provided by Town Counsel contingent upon town counsel and Light Department counsel reaching agreement on changing or leaving as is Sections 2.1, 2.2, 3.2, 4.2, 7.2(c) and 13. 2-1 Darke absent

Moved Brady, seconded Cross, and it was

VOTED: To approve and sign the Lease provided by Town Counsel contingent upon town counsel and Light Department counsel reaching agreement on changing or leaving as is Sections 2.1, 2.2, 3.2, 4.2, 7.2(c). 2-1 Rollins absent

Moved Cross, seconded Brady, and it was

VOTED: To approve Schedule A showing fiscal year payments due to the Town of Groveland each year of the 20 year Lease. 2-1 Rollins absent

Warrants

Due to the absence of Chairman Darke, Selectman Gorski invoked the Rule of Necessity. (Selectman Gorski's son works as a Patrolman for the town).

Moved Greaney, seconded Gorski, and it was

VOTED: To approve Payroll Warrant #13-10. 2-1 Darke absent

Moved Greaney, seconded Gorski, and it was

VOTED: To approve Deduction Warrant #13-08A and Bill Warrant #13-33. 2-1 Darke absent

Appointments

Chief Kirmelewicz submitted a request for appointment of John D. Lannon as Reserve Officer/Lock-Up Keeper. Selectman Gorski invoked the Rule of Necessity and Greaney moved, Gorski seconded, and it was

VOTED: To appoint John D. Lannon as Reserve Officer/Lock-Up Keeper, said appointment effective immediately through June 30, 2012. 2-1 Darke absent

Signage Request-Veasey Park

Jan Lydon, of Veasey Park Management Committee sent a written request for placing signage at four (4) of the town's intersections to guide out of town visitors to Veasey Park. A copy of the written request is attached hereto and made a part of these Minutes. Moved Greaney, seconded Gorski, and it was

VOTED: To grant the request of Veasey Management to place directional signage at four of the town's intersections, subject to Veasey Management Committee following requirements of the Road Commissioner. 2-1 Darke absent

Special One Day Liquor License

Boxford Men's Softball League requested a one day Special Liquor License for their annual banquet to be held at Veasey Park on Friday, September 14th, 2012 with beer and wine being served from 7:00 p.m. to 11:00 p.m. Moved Greaney, seconded Gorski, and it was

VOTED: To approve and sign One Day Special License for Boxford Men's Softball League banquet at Veasey Park on Friday, September 14, 2012 from 7:00 p.m. to 11:00 p.m., subject to a Detail Officer being on duty during the hours alcohol is being served.

Historic Commission Appointment

Robert Guptill expressed interest in filling the vacant 3 year term on the Groveland Historic Commission and was recommended by member Claire Walsh. Moved Greaney, seconded Gorski, and it was

VOTED: To appoint Robert Guptill to the vacant three year term on the Groveland Historic Commission, said appointment effective immediately through June 30, 2015.

Executive Session

Moved Greaney, seconded Gorski, and it was

VOTED: To enter into Executive Session in accordance with the provisions of MGL Ch. 21(a) (6) for the purpose of discussing appraisals of property off Center Street.

GREANEY, GORSKI – "AYE" 2-1 Darke absent

Executive Session was entered at 7:40 P.M. and closed at 8:00 P.M. The Minutes of the Executive Session are kept on file in a separate binder in the Selectmen's Assistant's Office. Selectman Darke announced the Board will return to Open Session for the sole purpose of adjournment. Selectman Gorski announced the Board will return to their Open Session following the close of Executive Session.

Board returned to Open Session at 8:02 P.M.

Correspondence

Selectmen reviewed an email from resident Joe D'Amore regarding the Board's interest in forming a committee to study whether changes should be made to town government and in what form, i.e., increasing the size of the Board of Selectmen from three to five members, looking into a Town Manager, doing away with certain boards/committees and having the Selectmen act in their place; and a list of town residents expressing interest in serving on said committee. Due to Chairman Darke being absent, the Board agreed to return this topic to their next meeting agenda.

Questions from Zoning members

ZBA members Tom Wakefield and Phil Taylor addressed the Board, stating that they had concerns with whether the Building Inspector/Zoning Enforcement Officer is actually reviewing the Zoning Applications prior to him signing off on them. Taylor told the Board that they have talked with Schena and the information he states he reviews comes back to them blank. Selectman Greaney asked that the Building Inspector come in to the meeting before ZBA members continue their comments.

Schena told the Board that Taylor and Wakefield don't like the way Schena does things. He said when residents come before him he answers their questions and if he feels they have to go before the ZBA, he signs off on their application. Schena said ever since Wakefield has been on the Board he doesn't like the way Schena does things; that Wakefield came into his office earlier this evening looking for a fight with him. Schena told the Selectmen he does not believe it's an issue of "if he signs the applications", that it's whatever the case may be.

Selectman Greaney said he thought Julie (the ZBA clerk) reviews the application before the hearings. Schena agreed that she should and that she should call the applicant and have them complete the pertinent parts of the application that applies to their issue that will be going before the Board. Selectman Gorski told the ZBA members that an application should not be entertained by the ZBA unless it is complete. Taylor again remarked that Schena is not reviewing anything and Schena responded he reviews what the person brings to him and any questions they ask. Wakefield suggested that the Building Inspector should review the zoning for the applicants.

Taylor told Schena and the Selectmen that Schena should not issue a building permit unless the applicant brings him a copy of the ZBA Decision which shows the Book and Page of the recording at the Essex Registry of Deeds. Schena said he has never received the Decisions, and unless they provide him with full time secretarial help he won't be doing it; that he's the only Building Inspector around who pays for his office help out of his own pocket. The Selectmen's Assistant suggested that the ZBA add to their application that a copy of the recorded Decision must be filed by the applicant with the Town Clerk, the keeper of town records, and that the Clerk be asked to provide Schena with a copy of same and keep one in her pertinent ZBA file. Schena left the meeting room because he had residents waiting in his office. Comments by the ZBA members continued for several more minutes with no resolution agreed to.

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Committee for Unsafe Structures

Selectman Greaney asked Finance Director Labrecque whether he had asked the committee members, Fire Chief, Building Inspector and Health Inspector to view the property on Center Street which was destroyed by fire a couple of years ago; that he's received another call about the property being a safety hazard; that there is three feet of water in the basement and the floor boards are rotted. Selectman Gorski said she also has been called. Labrecque told the Selectmen that he had mentioned the concern to all three of the committee members and will reach out to the Fire Chief again tomorrow.

Adjournment

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

VOTED: To adjourn. 2-1 Darke absent

Adjourned at 8:45 p.m.

Respectfully submitted,



Nancy Lewandowski
Administrative Assistant