

MINUTES

BOARD OF SELECTMEN

DECEMBER 2, 2013

Meeting called to order at 6:23 P.M.

Present Selectmen Elizabeth Gorski and Joseph D'Amore and Chairman Donald Greaney.

All stood for the Pledge of Allegiance

Approve Warrants

Moved D'Amore, seconded Greaney, and it was

VOTED: To approve Payroll Warrant #14-22.

D'Amore, Greaney – "Aye"; Gorski – "Abstain" 2-1

Moved D'Amore, seconded Gorski, and it was

VOTED: To approve Bill Warrant # 14-21. 3-0

Moved D'Amore, seconded Gorski, and it was

VOTED: To approve Deduction Warrant #14-20A. 3-0

Fire Chief Robert Lay-Fire Department Meeting Room Use

Fire Chief Lay, COA Director Lynne Stanton, COA Commissioner Ron Mertens and Friends of COA member JoAnna Donnelly were present for the discussion inasmuch as the COA had received permission from the Selectmen and former Chief Clement to move the lunch site (Meals on Wheels) to the fire department meeting room when the COA moved from Veasey Park to Town Hall over 10 years ago. Chairman Greaney told those present that the Selectmen had been invited to a breakfast at central station a few weeks ago and some of the members of the department had shown some concern on different things, but they did say that every time Lynne uses the room everything gets put back. Greaney told Stanton that some of the questions were that somebody comes in and does preparation for meals on wheels; that some of those meals go to people in town and it's his understanding no one from town actually goes to the station to eat anymore. Lynne told the Board that they have a small site turnout; that it is bigger on a Wednesday. Greaney continued that there were a few concerns on whether the meals on wheels people could do their preparation somewhere else; that those were some of the things they wanted to ask.

Stanton asked Greaney what he meant by way of prep and Greaney responded that he understands they do cooking in there. Lynne responded that they do not cook, they just maintain and heat. Greaney told Stanton that he has heard that they can smell food in the police station and as soon as you walk into the fire station you can smell it. Lynne agreed they could stating that it is a lunch site. She told the Selectmen that each day they put out 206 meals on wheels, of that 206 Groveland's amounted to 24 meals today. Lynne explained that some folks get meals on a daily basis and some on a temporary basis because of their discharge plan from the hospital and other reasons. Groveland's amount of meals is probably about 10-15%.

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Greaney asked that basically they need a place to disburse the food into containers and Lynne agreed saying the food comes in in large containers; that it has all been cooked at Lawrence Vo-tech and then portioned out into individual servings, sealed and then a host of meals on wheels drivers take it out

Stanton asked Lay what he is thinking are his concerns at the Fire Station; that this is the opportunity to share them. Lay replied that somehow he knew he would look like the bad guy on this, Lynne said no, and Lay said all of a sudden he is the new Chief, he shows up and the men are complaining about the meals program being around the fire station. Lynne responded that she doesn't think that is new and Lay said no. Chairman Greaney responded that it's new to the Selectmen because they were at the station having breakfast and several of the guys thought they should tell the Board about it. Selectman Gorski told Lynne that they were at the station for breakfast to welcome Bob Lay as new Fire Chief; that it was great and they appreciated it; that it was a nice Sunday morning, and they were happy to be in that room with so many firefighters that she hadn't met before. Gorski said they were talking afterwards about the room and some firefighters said to them what can they do about the program being run out of this building? Gorski said what they heard was the firefighters had put a lot of time and effort into painting the walls, keeping the floor nice and Lynne responded that it was the Essex County Sheriff's Department that painted the walls. Lay responded he won't debate that but he actually had the men paint them once. Lynne told the Board that she knows Tracy has been in there and does a fabulous job keeping the floor up. Gorski continued that they were told the kitchen isn't left as clean as it should be and as they heard those things they said let's get together and talk about it.

Lynne told the Board that she has heard the same thing and has spoken to the folks at MVNP about the cleanliness program; that it's a shared space; that she and Bob had talked about it and she has talked about it with the site manager. Johanna who is here tonight is the site aide there and Lynne said she has voiced her concern on this topic. Lynne told the Board that she knows there has been concern about wear and tear of the space; that it's just normal use but many folks use it. Lynne told the Board that to be fair, she has heard from the manager of the meal site that she comes in in the morning and the chairs and tables are not as she left them. Lynne said she knows the room is used for training on some evenings, but the site manager finds candy wrappers and popcorn on the floor so she doesn't also find it as clean as she left it.

Lynne told the Board that although she's not responsible for site or overseeing the staff, she has tried to be aware of the fire men's concerns; that they replaced the fridge, that they replaced the stove which was a lovely donation; that they've replaced the microwave because they are things that they all use and the Friends of the COA group have been very helpful in that regard so they have tried to be good neighbors.

Gorski asked if the program has always been out of the public safety building and Lynne replied that it was initially at Veasey Park when the COA was there, and for the past ten years it has been out of the fire station. Gorski told Lynne that when they said let's all get together and talk about this, Bob's the new Chief on the block and had concerns about being the bad guy and Lynne said it's his job and it's not always easy, and Gorski continued that he said let's all talk about and see how we can improve or is there another location that can be used. Gorski said she has no idea if during the times the program is being done if the room has ever been needed by the police or fire and Chief Lay responded it is not typically needed during the day. Lynne

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told the Board that she knows the girl scouts and brownies have been there in the afternoon; that the COA uses the room on Wednesday afternoon for game day which is after lunch about 12:30 p.m. Gorski asked how many times game day occurs and Lynne replied once a week.

Stanton told the Board that Merrimack Valley Nutrition Program does pay a stipend to Groveland for use of the room and Gorski asked how much it is. Lynne responded that she thinks it's \$100,00. Gorski asked whether it's weekly and Stanton replied it is paid monthly and it was done to offset energy use; that MVNP has their own phone line in the building that they pay for themselves. Lynne said they have a supply cabinet and also use part of the firemen's supply closet.

Selectman Gorski told Lynne that they know the COA doesn't have its own home and that they are trying to be sensitive to everybody's needs. Lynne told the Board that the beauty of the location is geographically it's kind of in the center of the area they serve and that's made it a good site. She told the board that she knows it's tough to share a space that might smell like broccoli some days.

Selectman D'Amore told Lynne that a couple of firemen said there was food spilled or splattered on tables and walls and not cleaned and asked to be told again about the process stating that they are not cooking so they don't use the oven. Lynne stated the food comes in in large containers and is disbursed to individual trays; that there's a lot of scooping going on and Greaney interjected saying but they are heating it up and Lynne replied that it is actually warming; that it's not being heated but is being warmed by these water containers. D'Amore stated that they are transporting approximately 1,000 meals a week and Lynne agreed. Selectman D'Amore stated that the most easiest thing to do and asked would it be possible to enforce a more cleanliness standard and Stanton told him she thinks so; that that might be the easiest solution and Stanton agreed. D'Amore told Stanton that none of the firefighters who spoke with him said they were competing for their space or that the tables aren't in the right order; that it was about food not picked up after it was spilled and hardens; that that would become a sanitation issue which becomes something for the health agent to be concerned about. Stanton agreed. D'Amore said if they could possibly see an enforcement of that and whatever the Chief's thoughts are on that and Lynne said she is 100% behind that; that it's been an issue for her with the site for quite awhile. D'Amore told Lynne that they don't want their volunteer firefighters coming in to clean up someone else's mess. D'Amore said with a 1,000 meals going through, that is a commercial operation and that is not a commercial kitchen and they are doing the best they can to accommodate everyone. D'Amore asked the Fire Chief his thoughts.

Chief Lay responded that he has a few thoughts; that for him it's a morale issue; that sharing the space is difficult to do when they use it one day a week on average (Tuesday nights they use it), sometimes a little more, and it's used every day by some other group. He said he knows it's difficult to get everybody to keep it clean; that it's a mess and way over used especially for the amount it is cleaned. Lay told the Board that the bathrooms are gross; that they are used daily by a lot of people and are cleaned at best once a week. He told the Board that they wouldn't do that in their own home. Lay stated the building is not being used for its intended use; that it's a light use building getting heavy use; that it's beat up. Bob stated that he had the men come down once and they painted the whole place top to bottom, trim, walls, the works; that they had

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the building perfect, and some years later he did make a comment to the woman who was running the place and she said the walls were dirty when they moved in and Lay said the walls were clean. Lay told the Board that they could go in the building today, look in the crevices of the bricks and you can see a buildup of food not just in the kitchen, but also in the meeting room; that the room is beat up. Lay said he thinks the solution is to clean it better but long range he thinks they need to find another site for this operation. Lynne asked if doing that would mean the fire station meeting room would then be empty all day, every day and Lay responded no; that he could do that under Homeland Security; that he could lock the place up but then nobody gets to use it; that he has the power to do that; that it doesn't make a lot of sense for a town that has very little meeting space not to let civic groups use it from time to time, it makes good sense to do that. Lay told Stanton she could walk in the side door and into the engine bay, jump in a truck and take off. Lynne responded that that wouldn't happen and Lay responded that it could happen because the place is not secure; that it's really open to anybody who gets in there; that it's not a good situation. He said that could be remedied by locking the doors between the space but he doesn't think that's the issue; that it's bigger than that. Lay said he is the spokesperson for the group; that he knows how they feel; that they are frustrated; that the place smells all the time, it just smells of food; that it's a food operation.

Stanton told the Board that another issue she thinks is important is custodial care. As an example Lynne mentioned that each month they have their birthday lunch there; that there is an entertainer, etc. She told the Board that if one of the elderly get sick while there, it's her task to clean up after the ill senior because the town doesn't have a custodian from the Thursday of the birthday lunch until the next Monday when the custodian comes in; that it's been a long standing issue at town hall as well as at the fire station; that everybody has to clean up after themselves in a big way. Lynne said it's not in her job description that when someone is sick to their stomach she is responsible for washing the walls, but she's done it because it is part of being a small town.

Chairman Greaney responded that they didn't know until they went to the breakfast there that it was a COA operation over there; that they thought it was an outside operation and Selectman Gorski responded that she knew there were COA activities there, i.e., men's breakfast, game day, and Lynne responded that they have also had line dancing and other exercise programs; that the men's breakfast was at the station she moved it to town hall this month. Lynne stated that the room was empty every day so when they approached the Selectmen ten years ago she told them the COA was leaving Veasey Park because they had raised the stipend they had to pay and it was too high for them to continue there so they asked to return to town hall; that the major concern was where they could have the meals program and additional functions that had a proper kitchen because the kitchen at town hall only has 2 burners for a teapot. Selectman Gorski responded that it's a lot of meals, 206, with only 24 going to Groveland residents and Stanton acknowledged that it is. Gorski said it is a big disparity. Selectman D'Amore commented that it is a commercial operation with 1,000 meals a week and stated the facility wasn't built for that and that the Chief has expressed a very valid concern. D'Amore stated that his solution is insufficient; that raising the standards of cleanliness is a temporary measure; that he doesn't know what process they could encourage to see if they could offload this operation elsewhere and asked Lynne if she would explore that for the board. Stanton responded that she feels it would be beneficial to have the people of MVNP speak with the Board; that the only space the COA has for its functions for seniors is the meeting room in town hall and that is

over used already; that if the Selectmen are thinking of asking the meals program to move, they would want to speak with Bill Cutler of MVNP; that although she works close with the program she does not supervise the staff. Selectmen Gorski asked who is at the site daily and Stanton responded that there is a site manager and two employees, and two volunteers that help with the food pre and eleven drivers who are paid a stipend by MVNP. Selectman Gorski asked Stanton if Haverhill's Citizen Center has meals going out from there and Lynne responded that Haverhill depots out of a school; that Groveland sends meals to Bradford, part of Haverhill, Georgetown, Boxford and Groveland and most go to Haverhill.

Selectman D'Amore told Stanton that the consensus is that the Board would like to meet with the representative of MVNP to discuss a solution and Stanton asked how she can help; that she will ask Mr. Cutler to call the Board's Assistant. Mr. Mertens asked if he could ask a question and stated that the COA also uses the safety building meeting room for game day on Wednesdays and birthday lunches on the first Thursday of each month and asked Lay if that creates a problem for him to which Lay responded not a problem. Chairman Greaney commented that it was said that the gentlemen's breakfast, you guys (COA) handle it yourselves and it is always much nicer; that you guys do a really good job, not only on the program but on the cleanup afterwards. Stanton responded that they do a good job because they are very much appreciative of being able to use the space; that it's a whole lot better kitchen then the one that is available here (town hall), so its been a win win situation. Stanton told the Board that she thinks before they throw the baby out with the bath water, that it would be worthwhile for the board to speak with Bill Cutler and discuss the concerns that you have without necessarily deep sixing the whole program out of Groveland.

Liquor License Renewals

Selectman Gorski asked the Board's Assistant if she has received any complaints on any of the licenses and was told there were none. Moved Gorski, seconded D'Amore, and it was

VOTED: To approve and sign the following Liquor License Renewals for 2014:

Groveland Fairways, LLC, 156 Main St., General on Premise
Cedardale Swim Club, 20 Bare Hill Road, General on Premise
Tea Garden Restaurant, 904 Salem Street, Restaurant
Pub 97, 935 Salem Street, Restaurant
Nichols Village, One Nichols Way, Club License
Gerry's Variety, 15 Elm Park, Package Store-Wine & Malt
NC Liquors – 1 Washington Street, Package Store-All Alcohol
Rte. 97 Liquors – 908D Salem Street, Package Store-All Alcohol
Nierod's, Inc., 192 Main Street, Package Store-All Alcohol

3-0

Request for Extension of Time to Clear Title Issues-Bussing Property-Center Street

The Board reviewed an email received from Jim Bussing's attorney requesting an extension of time for clearing the issues discovered during the town's title search review. Finance Director Labrecque advised the Board that they should ask for an update as to where things stand on clearing the title; that this is the second request for an extension with no explanation as to how much longer it will take, if in fact they can straighten it out without having to go to Land Court. It was agreed that the Board would grant an extension with the stipulation that Bussing provide sufficient information to the Board by December 30th as to where they are at with the title issues.

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Selectman D'Amore stated that the Board can't accept title to Bussing's property in its present state so what they are asking is what would lead to a resolution of the title issues; that if the answer is Land Court then they will know it could be years. Selectman Gorski informed her fellow Board members that she would be away for a couple of weeks and asked that they not do anything the next time they meet (Dec. 16th); that she feels it's too big of a project and would like to be a part of the decision making. Gorski stated she will be available to meet on December 30th. The Selectmen agreed. Selectman Gorski stated that the townspeople need to know that the Board isn't causing the delays on this and Labrecque agreed stating the Board is only doing its due diligence.

Moved Gorski, seconded D'Amore, and it was

VOTED: To grant the extension but must be prepared by December 30th,
2013 to inform the Board where they stand on title problems. 3-0

PURCHASE & SALES AGREEMENT-RUTH MATTINGLY PROPERTY OFF CENTER ST

The Board reviewed the Purchase and Sale Agreement provided by Town Counsel. Finance Director Labrecque told the Board that he does not know where they are with National Heritage releasing the \$120,000 but there is a contingency clause in the P&S that the funding has to be received before closing; that the grant that Dempsey applied for will need to be accepted at Special Town Meeting prior to closing.

Moved Gorski, seconded D'Amore, and it was

VOTED: To sign the Purchase & Sale Agreement for purchase of Ruth Mattingly's
property located off Center/Main Street. 3-0

Water/Sewer Department – Surplus Property

Water/Sewer Commissioners requested the Board of Selectmen declare two water department trucks and a generator as surplus property. Moved D'Amore, seconded Gorski, and it was

VOTED: To declare the following vehicles & generator as surplus property:
1) 2000 Chevy Pick-up truck with all accessories VID #1GCGK24ROYR213714;
2) 2002 Ford Ranger R10, VID#1FTYR10UX2TA23370
3) 1974 Generator 175KW – given to Highway Department

Selectman Gorski mentioned that Water/Sewer employee Richard Ferrick had recently retired after working 49 years for that department. Chairman Greaney publicly thanked Ferrick for his service to the Water/Sewer Department and acknowledged that Dick had also served for many years as a volunteer firefighter for Groveland and thanked both Dick and his family for the many years they gave to the town.

Financial Investment Policy

The Board's Assistant asked that the Selectmen vote to accept the Investment Policy prepared by Finance Director Labrecque a year or so ago, and reviewed and signed by the Board; that the auditors informed Labrecque that an official vote of the Board was needed; that the Board had accepted and signed the Policy over a year ago but had never taken an official vote to do so.

Moved Gorski, seconded D'Amore, and it was

VOTED: To accept the Financial Investment Policy prepared by
Finance Director Labrecque. 3-0

Executive Session-#1

Moved Greaney, seconded Gorski, and it was

VOTED: To enter into Executive Session pursuant to MGL, Ch. 30A, Sec. 21(a) (2)
for the purpose of conducting contract negotiations with Fire Chief Robert Lay.

GORSKI, D'AMORE, GREANEY - "AYE" 3-0

Executive Session was entered at 7:05 P.M. and closed at 7:35 P.M. The Minutes of the Executive Session are on file in a separate binder in the Selectmen's Assistant's Office.

Executive Session-#2

Moved Greaney, seconded Gorski, and it was

VOTED: To enter into Executive Session pursuant to MGL, Ch. 30A, Sec. 21(a) (6)
for the purpose of discussing negotiations for purchase of property off
Center/Main Streets.

GORSKI, D'AMORE, GREANEY - "AYE" 3-0

Executive Session was entered at 6:52 P.M. and closed at 8:12 P.M. The Minutes of the Executive Session are on file in a separate binder in the Selectmen's Assistant's Office. Chairman Darke announced the Board will return to the Board's Open Session for the sole purpose of adjourning the meeting.

Adjournment

Moved Greaney, seconded Gorski, and it was

VOTED: To adjourn.
Adjourned at 8:14 P.M.

Respectfully submitted,

Nancy Lewandowski, Administrative Assistant