

MINUTES
BOARD OF SELECTMEN
MARCH 24, 2014

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

Present Selectmen Elizabeth A. Gorski, Joseph R. D'Amore and Chairman Donald N. Greaney.

All stood for the Pledge of Allegiance

Approve Warrants

Moved D'Amore, seconded Greaney, and it was

VOTED: To approve Payroll Warrant #14-38

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

Moved D'Amore, seconded Gorski, and it was

VOTED: To approve Bill Warrant # 14-37. 3-0

Moved D'Amore, seconded Gorski, and it was

VOTED: To approve Deduction Warrant #14-35A. 3-0

Reserve Officer Ed Fournier

Reserve Officer Ed Fournier met with the Board to discuss the need for a firing range for the Police Department to train at. Fournier opened by thanking the Board for making the adjustment to the detail rate for reserve officers. He told the Board the Reserve Officers appreciated the Board's support; that they put themselves at the same risk as full time Officers and are pleased to have the Selectmen's support.

Fournier then discussed the lack of firing ranges in the area, telling the board that the officers have nowhere to train; that they could go to Ft. Devins at a cost of \$200 per officer, plus overtime. He asked that the Board approve having them build a range in town where they can have realistic training. Fournier said other area departments may be able to help with the costs if they were allowed to join in the use. He said West Newbury told him they would contribute. Chairman Greaney stated if they can get a financial contribution from other departments that would use the range, he thinks that would be good and told Fournier that it would be up to his department to manage this and schedule the use of outside departments.

Selectman Gorski equated the idea to regionalization, towns joining together to assist one another and stated that we have to share resources. Gorski mentioned that Whittier Voke is a good resource if anything needs to be built. Gorski questioned whether something like this would have to go before Capital Planning and told Fournier the Board would need a little more information. Greaney said that this might require going out to bid. Greaney pointed out that the cost of our Officers going to Ft. Devins every year would be more than building our own. Fournier pointed out that trying to schedule time at Devins can be difficult; that it can take from 6 months to a year and then be cancelled and you may have to wait another 6 months or longer.

MINUTES-PAGE #2
MARCH 24, 2014

Fournier told the board that if they can build their own range in town, Officers will be able to train more. He suggested an area behind the Highway Department on Center Street. Fournier said he has spoken with the Highway and Electric Departments and those departments are willing to help with this project; that the Electric will bring poles in and install them; that the Highway Department would allow equipment, target stands and barricades to be kept at their site.

Greaney told Fournier that he would like him to provide a layout of what the structure and baffles will be and an idea of cost, if he can get that because otherwise it would end up being a bid package. Also, what our resources will promise to do and will actually come through for you.

Selectman D'Amore commented that if we build it ourselves and own and management it, and departments in the area are charged a fee to use the range, that will be a lot less complicated than if other departments want to come in on the investment side. D'Amore told Fournier that once you regionalize that you have to create an authority to manage and control it; that it would be a tri-town authority. D'Amore told Fournier if he decides to go that way, he suggests that Fournier also make a presentation to the Regional Finance Committee. Fournier responded that in NH everyone chips in if a piece of new equipment is needed, or a repair to the facility is needed. Chairman Greaney told Fournier that a set fee from every department using our facility would eliminate him having to fight about who is going to pay to do stuff.

Moved D'Amore, seconded Greaney, and it was

VOTED: To support Officer Fournier's concept for an in town firearm training facility for the Groveland Police Department. D'Amore, Greaney – "Aye"
Selectman Gorski – "Abstain" stating she supports the idea but refrained from voting due to having a family member on the force

Fournier thanked the Board for their support. Chairman Greaney suggested that Fournier begin trying to determine which Police Departments may be interested in using our facility and what type of fee they would be willing to pay. Selectman Gorski also advised that the neighbors will need to buy into it; that they are brought in and know about it before it is built. Selectman D'Amore suggested that Fournier speak with Deputy Gillen who is the town's Emergency Management Director about possible federal grants that might be available.

Two members of the Recreation were present although not on the agenda. Chairman Greaney asked if they wished to address the Board. Erin Merrill stated she was present to request two job descriptions and that Soccer wants the list they were told in November they would receive that is needed to plan Groveland Day. Chairman Greaney told Merrill that he thought the Board was looking to hear back recreation what the plan was for Groveland Day so the Board could respond to issues might be due to the construction of the Pines and that it will be a big dust bowl because of it. Merrill stated they were planning the same events as last year; that nothing has changed.

MINUTES-PAGE 3
MARCH 24, 2014

Chairman Greaney told Merrill that the Finance Director had a concern and they have checked and the town has no provision to allow for any drinking on public property so they wouldn't be able to have beer and wine events. Merrill asked "even with a liquor license like Veasey Park gets?" and Greaney responded that they won't be able to do so any longer either, as far as he knew. Merrill asked "all towns?" and Greaney responded he was talking about our town; that we have no insurance coverage to cover any alcohol being on any town property.

Merrill told Greaney they were looking for the checklist for events that would apply to everyone (town policy). The Board's Assistant told the Board there is a Special Event Policy in the Board's packet this evening that they will need to review and decide whether to adopt same. Merrill questioned whether liquor licenses at Veasey Park are now being revoked, and Selectman Gorski responded that they aren't be revoked, they won't be granted. Merrill responded that she was told that Veasey Park has a lot of weddings coming up so will they be revoked. The Board's Assistant responded that the town just found out about these concerns and have not been asked to approve any licenses since this issue was brought to our attention. Greaney told Merrill the Selectmen have been waiting for the Finance Director to begin working which will be this Friday.

Merrill asked about the delay in signing the Field Use Permits for soccer and Greaney responded that Babe Ruth hasn't provided their request yet and they don't know the dates needed by that organization. Greaney told Merrill that several years ago they put the other two soccer fields in hoping to get that group off the Babe Ruth field so the field can be used for baseball. Merrill asked about the July 3rd Permit and the Board's Assistant reminded the Board they held off signing because the time requested was earlier than the past year and the Board wanted to know if the neighbors were aware and in favor of this. Merrill said the time shown was probably due to setting up because they are down there all day doing that. Permit request shows time of 10:00AM-10:00PM. Merrill stated none of the neighbors have issues with it; that they are there anyway. Gorski asked if what they are planning is the same as last year and asked whether there would be alcohol and Merrill responded that it will be the same as last year and that it's a family event so there is no need for alcohol.

Merrill stated that she believes the summer camp permit which the soccer league uses as another fundraiser was questioned and Greaney responded that the Board has found out there's a problem with a company using town property and making money from it. Merrill responded that the company doesn't get an income from it; that they take the money they charge and pay their insurance and buy shirts and soccer balls, and donate the rest of the money back to Groveland Soccer. They have an agreement with Seacoast that because they train the town league's soccer coaches; that they run a clinic for the kids for a week and only take the monies needed for the balls, shirts and insurance and give the rest back to us. Greaney suggested they reverse it so that it is run by Groveland Soccer and it utilizes the services of Seacoast. Merrill stated that Soccer has its own insurance as well and was asked if the town is named as additional insured. She responded that she would have to double check.

6:45 P.M. – Babe Ruth League & resident Peter Creamer

Present were Bill Beaton, Rob McKeon and Peter Creamer. Creamer had requested use of the Babe Ruth field at the Pines Recreation area for a new league to play on; that the league would need field time on three Tuesdays in June and July. Beaton told the board that the high school

MINUTES-PAGE #4
MARCH 24, 2014

has three full teams this year and use our field every afternoon and Saturday mornings, and Babe Ruth starts after the school season ends. Beaton said he has heard comments that the field is never used and told the Board that is not true; that it's used every night. Last year they were approached by Todd Newton who had a group for pick-up baseball and they asked if Babe Ruth wasn't using it, could they have it Sunday mornings from 10:00-12:00 Noon, and Babe Ruth approved that with the understanding if they needed the field for a makeup game they would bump up; that they never needed the field so they never bumped them.

Chairman Greaney as Pentucket Babe Ruth what fields they have use of in the other Pentucket towns. Beaton responded that they have use of the Pines in Groveland and Pipestave in W. Newbury. McKeon said they can't use Pipestave on Wednesday nights and then Newburyport is using that field due to school construction; that last year they used it five times and are requesting eleven times for this year. McKeon also said they can use Stevens Field one night a week until the Little League program begins. Beaton said in June they get use of the high school field but they will be adding a couple of teams to the program. Greaney asked who schedules the summer Babe Ruth games and McKeon replied the ITBR; that they tell them how many teams they have, what fields they have, and what availability they have and they put it together for them. Greaney asked if that would be something they'd be able to work with, the request that Pete has, now that they would know what dates someone else is looking to use it? Beaton responded they would only tell ITBR what field availability Babe Ruth has.

Greaney passed out a copy of Creamer's schedule of dates he was looking to use the Pines field and asked the men if there are available times to accommodate Pete's requests. Beaton said if they look at last year's Babe Ruth Schedule, weekdays were almost always used at the Pines, so what comes into play is whether they could work him in on Sundays. Creamer stated if you look at last year's schedule there were a lot of holes in it, at least on Thursdays; that they would love to have Sundays but it looks like the field wasn't even being used Sunday mornings or if it was, it was just a pick up game. Creamer said that this league wouldn't be pick up games; that they have had 6 to 10 guys in this league that play independent baseball. Creamer said this is the best baseball that will be in this area this summer; that he's always wanted to play on this field since he was little; that he knows it is a big request and that it might throw everyone off a little, but it is only 12 days.

McKeon responded that they won't know their needs for a few weeks yet. McKeon said they were thinking they could work with the Sunday request but if they take away weekdays, they will be taking away from the kids in our town. Creamer stated that if the schedule is that tight, his league would look elsewhere for the 3 games they were asking take place in June, and McKeon stated there'd still be a problem with July 8th. Selectman Gorski commented how she was enjoying seeing the two groups working together like this; that it isn't usually this way. Beaton said if something can be moved around they could slide Pete in as long as the kids are taken care of; that there's a possibility that if needed, Pete could check week to week or maybe two weeks and if there was an opening they could slide them in then. Creamer thanked Beaton and told him he'd have no problem checking a couple of weeks before to see if the field is available. Creamer said they appreciate having the Sundays made available and will check on the week days as was suggested. Creamer asked about July and August use should they make it to the playoffs and Beaton told him there wouldn't be a problem toward the end of July and August.

Eight of the twelve requested dates will be approved and Creamer will call Beaton on the other four. The Selectmen thanked both groups for attending and helping to make the request work.

City of Haverhill vs. Town of Groveland – Settlement Agreements/Releases

Town Counsel provided Settlement Agreements/Releases for the Board's signatures relative to the claims of Haverhill that Groveland contributed to the landfill contamination by its residents bringing their trash to the landfill in Haverhill until the late 70s. Moved D'Amore, seconded Gorski, and it was

VOTED: That based on Town Counsel's recommendation the Board of
Selectmen sign the Settlement Agreement/Releases regarding the
Haverhill Landfill. 3-0

Special Events Guidelines

Board received a copy of Special Events Guidelines that were prepared for their review which they will take home, read over and discuss at a later meeting.

Executive Session

Moved Greaney, seconded Gorski, and it was

VOTED: To enter into Executive Session pursuant to MGL, Ch. 30A, Sec. 21(a) (6)
to discuss strategy regarding purchase of Angelini property off Main Street,
and to discuss the town's purchase of Mattingly's property of Center/Main Street.

GORSKI, D'AMORE, GREANEY – "AYE"

Executive Session was entered at 7:38P.M. and closed at 7:50 P.M. The Minutes of the Executive Session are on file in a separate binder in the Administrative Assistant's Office. Chairman Greaney announced the Board will return to the Board's Open Session following the close of the Executive Session.

The Board returned to Open Session at 7:46 P.M. Moved Gorski, seconded Greaney, and it was

Moved Gorski, seconded Greaney, and it was

VOTED: To authorize Town Counsel to notify Angelini's and Mattingly's counsels that the Board of Selectmen voted to extend the P&S Agreements for 30 days

Selectman Gorski recused herself from the next portion of the meeting inasmuch as it involved Police Department contract information and she has a family member on the force.

Executive Session

Moved Greaney, seconded D'Amore, and it was

VOTED: To enter into Executive Session pursuant to MGL, Ch. 30A, Sec. 21(a) (3)
to review/discuss negotiated contract proposals – MACops/Groveland
Police Department. D'AMORE, GREANEY – "AYE"

2-0

MINUTES-PAGE #6
MARCH 24, 2014

Executive Session was entered at 7:52 P.M. and closed at 8:10 P.M. The Minutes of the Executive Session are on file in a separate binder in the Administrative Assistant's Office. Chairman Greaney announced the Board will return to the Board's Open Session following the close of the Executive Session.

The Selectmen returned to Open Session at 8:11 P.M. Moved Greaney, seconded D'Amore, and it was

VOTED: To accept the contractual changes as negotiated for the 3 year contract renewal effective July 1, 2014 through June 30, 2017.

FINANCE COMMITTEE AND FINANCE DIRECTOR-TOWN MEETING WARRANTS

Selectman Gorski returned to the Board's open session and mentioned to the Finance Committee and Director that long standing Finance Committee member Bill Adams had passed away this past weekend. Chairman Greaney publicly expressed the Board's and Committee's condolences to the family, acknowledging that Bill served on the town's Finance Committee for 50 years. Greaney stated that the Board and the town appreciated Bill's service and are very sorry for his family's loss.

Finance Committee Chairman Bill Cook told the Selectmen that his committee has a couple of questions for the Board. Bill told the Board that every time they get to this time of year they find that someone is looking for a higher percentage for a raise than what is being recommended or requested by others; that the standard across the Board this year seems to be 2% and Greaney acknowledged that was the number they were working at. Finance Director Labrecque responded that it's the number that is in the budget but is not final until the Board votes it.

Cook told the Board his committee would like to know where the Selectmen are on the changes being requested in the Fire Department budget this year. He also reported that the Assessors are asking for a larger raise than 2% for their Office Manager. Cook stated it was their

understanding that the Selectmen have more control over the Fire Department budget now that there is no longer a Board of Fire Engineers. Chairman Greaney agreed saying he believes the Board has say over the financial areas of the fire department. Finance Director Labrecque told the Board that he thinks the Finance Committee is looking for the Board's input as to how to present the Fire Department budget to Town Meeting.

D'Amore responded that he thinks the Fire Chief's salary should be increased by 2% over last year, the Clerk's salary increased 2%, and the Inspector's wages, Drill wages and Training wages all receive 2%, and level fund expenses and the Ma Academy training. Labrecque told the Board that the Finance Committee is just seeing the budget Labrecque put together this weekend; that the numbers in the recommendation line were put there by him and the Finance Committee was seeing them this evening for the first time and haven't voted their recommendations. Chairman Greaney said that unless they have the Fire Chief in to go over each of his requests, the Selectmen would most likely expect to go with what the Finance Director is showing. D'Amore stated he agrees and would make a motion to ensure that. Greaney stated he doesn't know what went on at the last meeting with the Fire Chief because he was away. Gorski responded that they didn't make any decisions; that they listened to the Chief's presentation. Labrecque told the Board that technically because the Board of

MINUTES-PAGE #7
MARCH 24, 2014

Selectmen have control of the finances of the Fire Department, they could make the decision what to place in the requested column of the budget.

Selectman Gorski said she has been at town meeting where people have put a hold on recommendations, did a presentation, and had the budget changed. She said that is a problem for all of us when that happens. Gorski said she would like to go back to a meeting with the Fire Chief so Greaney can listen, and he agreed. Labrecque stated a decision doesn't have to be made tonight. Greaney stated that based on what they know now, the recommendations would have to be what is shown on the far right side. Cook said they just wanted to know how the Selectmen felt. Labrecque told the Board that basically the fire department budget is the Board's now and the Finance Committee is looking for guidance as to what numbers you need them to plug into those holes.

D'Amore moved that the Fire Chief's salary should be increased by 2% over last year, the Clerk's salary increased 2%, and the Inspector's wages, Drill wages and Training wages all receive 2%, and level fund expenses and the Ma Academy training. The motion did not receive a second on his motion. Gorski and Greaney stated they want to meet with the Fire Chief and Gorski told the Finance Committee she appreciates the work they do. Greaney told the Finance Committee that if the meeting with the Fire Chief doesn't take place the numbers should be those reflected on the far right side. Gorski stated she does not want to see town meeting up set the budget. The Board's Assistant informed the Board that she had spoken with town counsel about the strong Chief law and his opinion is that the Selectmen are in charge of all financial aspects of the Fire Department and if Town Meeting voted a million dollars for that budget the Selectmen make the decision as to what the salaries and other budget items will be; that Town Meeting cannot control that; that State Law gives that authority and control to the Board of Selectmen.

Cook told the Board it appears they want to stick to the 2% increases across the Board; that the Assessors' Manager was looking for a 16% increase but the Finance Committee is recommending the 2%.

Labrecque told the Board that Water/Sewer has put in for a 3% increase and a change in their Clerk's wages, changing it to salary and rolling the amount of the overtime into that line item; that the Finance Committee is recommending 2% increase, and the Board's seeking larger changes will be told they can meet with the Selectmen to discuss their request. Selectmen asked that the Board of Assessors also meet on their requested increase for their Office Manager.

Selectman D'Amore asked that when the Board meets with the parties to discuss the salary requests that would be done in open session unless they choose to go into Executive Session, and the Board's Assistant responded that it would have to be in open session. D'Amore stated that the Fire Chief would have to continue in Executive Session because he already started in Executive Session and the Board's Assistant responded that the Board was negotiating a contract with the Fire Chief which can be done in Executive Session, but discussing budget requests would be in open session. D'Amore stated that if the Fire Chief would like to meet with the Selectmen in open session to discuss the budget he presented to the Finance Committee he (D'Amore) would be in favor of that.

MINUTES-PAGE #8
MARCH 24, 2014

The Board's Assistant reported she will have an Article for the Warrant revoking the vote of last year's town meeting to purchase the property on Center Street because the owner has not been able to provide clear title. D'Amore commented that the town needs to revoke that vote otherwise someone could come forward with an Article to use that appropriation for something else.

Selectman D'Amore told the Finance Committee they do great work and the Board thanked them for attending the meeting and bringing the budget information forward.

COA VAN

The Board reviewed a request received from Council on Aging Director Lynne Stanton asking that the council's 2001 Dodge Ram Van be declared surplus property.

Moved Gorski, seconded D'Amore, and it was

VOTED: To declare the COA's 2001 Dodge Ram Van as surplus property. 3-0

Ballot Question

The Board's Assistant provided the Board with draft copies of the Warrants for Town Meeting and Town Election. She asked that the Board review the Warrants and report any changes or corrections they may want made prior to April 11th. Lewandowski told the Board that she needs the Board to vote to place the Ballot Question on the Election Warrant as shown on the draft; that she needs to inform the Town Clerk of this decision within 35 days of the Election; that the Question was written in accordance with how it was voted at town meeting last year, and the summary of the Question was provided by Town Counsel in accordance with the Legislation.

D'Amore moved, Gorski seconded, and it was

VOTED: To place the following Question on the May 3, 2014 Town Election Ballot:

QUESTION #1: Shall an Act passed by the General Court in the year 2013, entitled "An Act relative to the Board of Selectmen of the Town of Groveland, be accepted?"

SUMMARY OF BALLOT QUESTION: If approved by vote of the Town, this Ballot Question will permit the Town of Groveland to enlarge its Board of Selectmen from 3 members to 5. This initiative appeared as Article 17 on Groveland's 2013 Annual Town Meeting Warrant, seeking town meeting approval for the Selectmen to request a Special Act from the General Court. Article 17 was approved by a majority vote of Town Meeting on April 29, 2013.

The Special Act was passed by the General Court and signed into law by the Governor on December 19, 2013.

MINUTES-PAGE #9
MARCH 24, 2014

Pursuant to that Special Act, if the voters of Groveland approve this Ballot Question, the Special Act shall take effect on the date of such approval, and at the first Annual Election following that date (which would be Groveland's Annual Election of 2015) the voters would then select one additional Selectman for a 2 year term, and one additional Selectman for a 3 year term.

YES _____ NO _____

Adjournment

Moved Greaney, seconded Gorski, and it was

VOTED: To adjourn.
Adjourned at 8:34 P.M.

Respectfully submitted,

Nancy Lewandowski
Administrative Assistant