



**BOARD OF SELECTMEN  
AGENDA**

**October 6, 2014**

**6:15 P.M - Call meeting to order  
All stand for Pledge of Allegiance  
Approve Warrants:**

PW # 15-15	\$ 131,198.70
DW #15-13A	\$ 24,783.25
BW #15-15	\$ 260,173.11

**AGENDA APPOINTMENTS**

**6:20 P.M. - Water/Sewer Commissioners Sheehan and Willett** recommending David Polcari, Wood Street, be appointed until the next Annual Town Election (May 4, 2015) in accordance with MGL, Chapter 41, Section 11 – Roll Call Vote required of both Boards to appoint David Polcari to fill the vacancy created by the recent resignation of Commissioner Bruce Adams, said appointment effective immediately until the 2015 Annual Election (May 4, 2015)

**6:30 P.M. – Interim Library Director and Board of Library Trustees** – request permission to reorganize staff and fill vacant Assistant positions. See attached chart of Staff Members

**NEEDS ATTENTION**

Approve Property Use Permits, if any

Chairman to sign Bagnall bill submittals, if any

Board review and vote to sign “Winter Rapid Recovery Road Program – Reimbursement Request forms prepared by Road Commissioner re State funding from the 2014 Pothole and Winter Recovery Program to repair potholes & other damage cause by recent severe winter weather

Correspondence (1) Bill & Joe - read/review two letters prepared by Finance Director for your consideration should you wish to send to recipients (2) Email update from Chris Liquori re cable problems last week

**SELECTMEN'S TIME**

This time is allotted, if needed, for making statements, proposing future agenda items, congratulatory or condolences to residents/employees or athletic teams accomplishments, (not to initiate board discussion on issues not shown on current meeting posting/agenda)

**Date of next regular meeting – Monday, October 20, 2014 @ 6:15 PM**

MINUTES

BOARD OF SELECTMEN

OCTOBER 6, 2014

Meeting called to order at 6:20P.M.

**Present** Selectmen Joseph D'Amore, William Dunn and Chairman Elizabeth Gorski

All stood for the Pledge of Allegiance

**6:20 P.M. – Water/Sewer Commissioners**

Commissioners Sheehan and Willett met with the Board seeking joint appointment of David Polcari, Wood Street, Groveland, said appointment effective until the 2015 Annual Town Election at which time Mr. Polcari would run for election to fill the unexpired term previously held by Bruce Adams. Gorski asked if Mr. Polcari has served on other boards or committees and the Board's Assistant responded that Mr. Polcari serves on the Storm Water Management Committee.

Chairman Gorski informed the Commissioners that in accordance with MGL Chapter 41, Section 11, the two Boards will need to have a roll call vote following nomination of Polcari.

Moved Dunn, seconded D'Amore, and it was

**VOTED:** To appoint David Polcari to fill the vacancy created by the recent resignation of Commissioner Bruce Adams from the Water/Sewer Commission, said appointment to be effective immediately through the 2015 Annual Town Election.

Roll call: Sheehan – "AYE"; Williett – "AYE"  
Dunn – "AYE"; D'Amore – "AYE"; GORSKI – "AYE" 5-0

Chairman thanked the Commissioners for finding a replacement for Adams so quickly and asked if they had anything else to bring before the Board. Commissioner Willett mentioned that the Selectmen may be receiving calls about a smell that is actually coming from Haverhill but affecting some of our residents. Commissioner Sheehan told the Board that the problem at the Plant is due to something being wrong with the adjuster, but he doesn't actually know what an adjuster is he told Selectman D'Amore when asked. Dunn commented that Haverhill is working on the problem and Sheehan responded that he believes that is the case.

**Approve Warrants**

Moved D'Amore, seconded Dunn, and it was

**VOTED:** To approve Payroll Warrant #15-15

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

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Moved D'Amore, seconded Dunn, and it was

**VOTED:** To approve Bill Warrant # 15-15. 3-0

Moved D'Amore, seconded Dunn, and it was

**VOTED:** To approve Deduction Warrant #15-13A. 3-0

**Winter Recovery Rapid Recovery Road Program**

The Board reviewed the documents provided by the Road Commissioner which requires approval of the Board of Selectmen for the town to receive \$32,036 additional funds from the State for help with certain road repairs such as potholes which were caused by the extremely cold winter weather in 2013/2014. The State awarded funds to cities and towns several months ago and the Road Commissioner was required to have work completed by the State's deadline in order to participate in the program. The paperwork is for reimbursement for the work the town completed.

Moved Dunn, seconded D'Amore, and it was

**VOTED:** To approve and sign the Chapter 90 payment request prepared by Road Commissioner Arakelian seeking reimbursement of \$32,036 under the Winter Pothole Rapid Recovery Road Program for the 2013/2014 winter season. 3-0

**6:30 P.M. – Board of Library Trustees – discuss reorganizing of staff and fill vacancies**

The Board of Library Trustees and Interim Director Tom Clark met with the Board and Clark informed the Board that they would like to bring three items forward for the Board's approval:

- 1) to approve the hiring of Meghan Brown as Library Assistant at the rate of \$10.00 per hour for 15 to 18.5 hours per week. Clark told the Board that Meghan has worked as a Library Page for the past six years;
- 2) to approve adding a second Library Assistant position at \$10.00 per hour for up to 15 to 18.5 hours per week; that they do have a candidate in mind for this position but have not presented the offer to the candidate. Gorski asked if the candidate is currently part of the library staff and was told no; and
- 3) promotion of current Library Assistant making \$10.61 an hour and would be raised to \$11.00 and hour to Senior Library Assistant and continue to work 15 to 18.5 hours per week. Selectman D'Amore asked who the employee is they are asking to promote and Clark responded she is Lauren Towler.

The Board was told that all three positions are not benefit eligible and Clark told the Board that they have discussed these changes with the Finance Director and she approved and stated the library budget would be able to cover all of the aforementioned changes to positions.

Selectman D'Amore asked what is going on at the Library and Clark responded that the Library continues to offer many services from children's programs, to the large print collection growing; that they are basically meeting the needs of the community. Tom told the Board that he has

been working at the Library since July first and it has been such a warm community connecting with the staff. He told the Board that the changes they are requesting this evening would help to secure not only the staff that is currently working at the library, but also will meet the need to allow the library to grow and get many things done; that they have been operating on a 160 hour weekly schedule and although they get everything done, it is a scramble. Selectman D'Amore commended those present for doing an awesome job having the library continue to grow. Chairman Gorski agreed and thanked the Trustees and staff for all that they do.

Moved D'Amore, seconded Dunn, and it was

**VOTED:** To approve the three proposals put forth by the Interim Director on behalf of the Board of Library Trustees. 3-0

### **Correspondence**

The Board reviewed two letters prepared by the Finance Director for the Board's signatures. Selectman D'Amore stated that there had been a dispute between two members of the public, Mr. Ryan and Mr. Greenwood and it was an agenda item on September 8<sup>th</sup>; that he had asked permission of the Board to possibly mediate a discussion but that didn't happen. D'Amore stated that instead the Board has two letters before them which ask both parties to provide some consideration to each other in terms of making some changes so that they can resolve their issues. D'Amore stated that the Selectmen do not have jurisdiction to resolve their issues; that it is a civil matter but the Board is asking that they each take some steps to hopefully resolve their issues. D'Amore stated that the letters that will be sent are public documents if anyone wishes a copy. D'Amore stated he is in favor of sending the letters to Mr. Greenwood and Mr. Ryan; that Chairman Gorski has recused herself from this issue because she is a customer of Mr. Greenwood. Chairman Gorski added that the investigation that had gone on had been carried out by a member of her family who works for the town, and felt it was best she not participate in the issue. D'Amore stated that the letters will be sent on behalf of the Board and signed by Dunn and D'Amore.

Selectman Dunn stated that Mr. Ryan had come to him stating he wasn't satisfied with the last meeting the Board had with him and Mr. Greenwood and that's why he (Dunn) recommended the letters be sent making friendly recommendations to the two parties; that doing so will hopefully get the issues resolved and to make it clear it is a civil matter and not a town matter.

Selectman D'Amore reported that last week there was a problem with transmitting the Selectmen's meeting; that he sits on the Cable T.V. Advisory Committee and wanted everyone to know that he sent an email to the committee's technician and he responded by giving D'Amore a very extensive, technical explanation to what happened. D'Amore didn't read the response but stated that Comcast accidentally severed the town's transmission lines, and that is what caused last week's meeting to go on without any coverage on channel 9, plus, due to the compounding effect of issues the meeting also wasn't recorded. D'Amore stated the email he has is public information and anyone wishing a copy of it can contact the Board's Assistant. D'Amore stated that the technician also included some really good suggestions as to how they

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can respond, procedural changes as to how the t.v. technicians can respond when there is a failure. D'Amore said the response is a great response and will set some internal policies on the cable t.v. board and how to respond to failures of equipment and the technology. D'Amore commended Chris Liquori for putting the response together and stated it will be an agenda item for the next time the cable advisory board meets so they can put together some policy as to how to respond to any break down of equipment.

D'Amore commented that they have made a very large investment in the recording equipment and people have gotten used to checking out the Selectmen's meetings a little more frequently and being able to hear them; that that's an exciting development but things do break down from time to time and he thinks they will have a very good response rate based on this experience.

Chairman Gorski asked Selectman D'Amore if he had attended a meeting at the school a few weeks ago that she had been unable to attend and D'Amore responded that he had; that it was the Pentucket Regional Finance Committee and is made up of one Selectman and Finance Directors from each town, the Business Manager and Superintendent. D'Amore stated that it is an advisory committee which its focus is on the needs of the Regional School system.

D'Amore told his fellow board members that the committee members took a tour of the facilities, the new track that's being built, and the fields which are well on its ways to being completed on time. D'Amore stated that the group put together an advisory group to begin studying the High School; that the school system will be putting together a proposal to approach the State for money to probably renovate, not build a brand new high school, but renovate the school. D'Amore told the Board that this is a multi-year project and the approach they will take is to meet over the next several Thursdays and begin putting together a proposal that will encompass what the school wants to accomplish educationally and what type of building they will wrap around that. D'Amore stated that next year they will probably present a formal proposal to the State asking for funding to renovate the high school. Chairman Gorski commented that this is to get in the pipeline for funding; that this is for renovating and not for a new facility and D'Amore responded affirmatively. He stated this is pretty competitive and that new facilities are pretty rare in New England; that more money is put toward renovating existing buildings rather than building from scratch.

D'Amore told the Board that when the project is presented it will become a matter for public hearings; that the Selectmen will be dealing with the issue at this level, the Finance Committee will have input as well as the public. The project will need a lot of support because at the end of the day it will be an additional burden on the taxpayers because the State does not pick up the tab for all of it. Gorski asked what the State currently contributes and D'Amore responded that currently they contribute 51%; that the rest has to be taken care of by the towns; that they can do Debt Exclusion, bonds and other types of financing; that it will be a burden, but it's an inevitable burden because at some point we have to renovate the high school; that it is the one in most disrepair. D'Amore told the Board that physically it is a building that cannot help the educators to deliver the curriculum and the learning that they want to for 21<sup>st</sup> century learning.

D'Amore commented that the first part of the process is exciting to him because they are not going to talk the physical aspects of the building, but first, what type of education are we trying to deliver, and then try to figure out what type of building is needed. D'Amore told the Board that he would guess, from start to finish, they are looking at a 3 to 5 year process. D'Amore told

the Chairman that without her permission he wasn't going to ask if Finance Dembkoski would be on this committee, but they all agreed that if she's not, she's going to be a great resource for the committee because she actually experienced the building of a new school in Swampscott, and that was a brand new building that came up out of the ground. D'Amore stated Dembkoski will be a wealth of information for the committee and Gorski agreed stating that she was sure the committee was pleased about that. Chairman Gorski thanked D'Amore for his update.

Chairman Gorski told the Board that she had watched a Community Preservation meeting recently and she heard people weighing in on what is out there and what it could be used for; that she heard one member speak about the former Getty Station and the Post Office and how it doesn't look so great to have that beautiful bridge coming into Groveland and having that building sitting there. Gorski commented that she thought she had heard that some of the CPA monies could be used on that project and D'Amore responded that that is his understanding. Gorski responded that she had never heard that before and D'Amore said again that it was his understanding that it can. Selectman Dunn told Gorski that he had also heard that; that if the town purchases the property and it is turned into a park, or something like that. The Board's Assistant responded that it might be true; that the rules on use of CPA funds have changed since the town accepted the law. Lewandowski told the Board she doesn't know if it can be to provide green space for the town or whether it has to be a park as in recreation facility. Selectman Dunn to the Board it is his understanding that CPA money cannot be used to renovate an existing park/recreation area, but if you want to build a new park from start to finish, the money would be available. Chairman Gorski asked if Washington Park wanted to add new playground equipment there could that be done, and Dunn responded he did not believe it could be used for existing parks.

Selectman D'Amore told his fellow board members that the CPA meeting Chairman Gorski is referencing was his first since he was added to that committee. D'Amore stated that CPA members would like the Selectmen to help get the word out that they are looking for groups to submit proposals for open space, recreational space that could qualify those folks should apply; that CPA has an open window to receive proposals until mid to end of October but will announce the official date at the next Selectmen's meeting. Dunn responded that he thinks he heard it would be October 15<sup>th</sup>. Chairman Gorski stated that Mike (Dempsey) did urge people to call if they have any projects in mind, and talk with him and others to see if their project would meet the requirements for funding through CPA. Selectman Dunn commented that the group has a lot of projects that are being worked on and he thinks they are doing a good job.

In other business, Chairman Gorski asked the Board's Assistant whether she had delivered a copy of the letter received from Eric Harper about his proposed project on Main Street to the Boards involved in the permitting process and Lewandowski responded that she had. Gorski then asked if they had received a response to the letter they sent to the Building Inspector and Lewandowski told the Board that Schena had responded, as did the Health Agent.

Gorski told her fellow board members that with all the events going on in town and so many kids playing sports, she thinks the Board needs to sit, maybe on an off night, and talk about how they are going to coordinate parks, fields and events on our town owned land so it flows more easily. Selectman D'Amore responded that it's a great idea instead of having those folks come in, let's have an open meeting first so the Board can organize their thoughts.

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Gorski commented that groups come in but she feels all the information needs to be out to everybody, and whether this entails hiring somebody as a part-time Director, stating she doesn't know how they can do that, but the board can certainly talk about it, make it easier so that everybody has all the information they need. Selectman Dunn responded that he agrees and feels that there is a lot of confusion with what is happening and he thinks there needs to be one person in charge to say what field can be used, what needs to be done to have the field ready; that he thinks it's a good idea to either talk with the different boards or talk amongst themselves first. Dunn told his fellow board members that he thinks with the Pines development being finished in the Spring, they need to definitely take a good look at it.

Selectman D'Amore suggested they put the discussion on the next agenda and ask for the document that the Finance Director had drafted and that she be present. The Board's Assistant responded that the Finance Director would not be available to attend the next meeting and D'Amore stated that was fine because the Board will most likely need to meet another two or three times on this subject. Dunn stated that the Finance Director has a lot that she wants to talk about regarding this subject. Gorski agreed saying that Dembkoski has looked into other communities as to what they do and how they do it. Dunn stated that the Finance Director knows the State Law and that there are a lot of State laws that they (the town) isn't complying with. D'Amore responded that they may not be, but they don't really know that.

Chairman Gorski told the Board that they just need to get a better handle on the use of town property and fields; that they have outsmarted themselves by making the fields so nice and everyone wants to use and enjoy them. Selectman D'Amore agreed saying he feels there is a need to better manage their resources and activities. The Board agreed to look at and discuss at their next meeting the draft proposal prepared several months ago by the Finance Director and D'Amore added that the following meeting the Board can meet with Denise, then the following meeting meet with some of the folks that are involved in recreation and actually running things now.

Chairman Gorski remarked that every year around early December people are putting schedules before the Board for approval; that some are blocking off big chunks of time, leaving not enough time for someone else to use. Gorski stated they just need to find a better way to do things. Gorski also stated that there needs to be a fee associated with the use; that they can't keep just doing it this way. D'Amore responded that the Selectmen are in charge of all open spaces and it's really become a first come, first serve, so by its very nature, if it isn't coordinated it becomes a competition. Dunn agreed saying they need to find a better way to manage how fields are used because Groveland has grown; that its growing at the Pines and eventually may be growing over to Strawberry fields and he feels they need to get this under control now. Dunn agreed with D'Amore that the Board should do two or three meetings on this, then maybe meet with the recreation board. D'Amore interjected that the first meeting the Board can review the Finance Director's proposal, the second meeting they will have the Finance Director also commenting, and then after that the next meeting they would like to have the hard working people that make events happen in the town; that they want to have them at the discussion table as well; that the Board values their input; that they have been doing a lot of good work for the town acknowledging as an example the folks who do Groveland Day. D'Amore said the Board should get their input as well so the Board isn't making a unilateral decision; that they are including everyone in the decision making, to the best of the Board's ability, and at the end of the day the Board needs to do what is in the best interest of the town

and be fully compliant with applicant law and changes. D'Amore stated it will be a three to four meeting process,

**Other correspondence**-the Board received reports from the Building Inspector and Health Agent regarding complaints about the former Esty Lumber property. Selectman Dunn also sits as an alternate member on the Zoning Board of Appeals. Dunn told the Board that when the Building Inspector met with the Selectmen, he told the Selectmen stating if he recalls correctly, that the building in question that is being said is too close to the property line, there are a couple of rotted buildings that they need to tear down and put the building up in their place. In another letter that came to the Zoning Board, they are saying other buildings on the property were torn down and they used the square footage of those buildings to put up this other building. Dunn told the Board that this issue is strictly a Zoning Board issue, not a Selectmen's issue and the Zoning Board needs to deal with it. Dunn stated that the Zoning Board couldn't get anything together the other night and the meeting has been postponed until sometime in early November. Dunn told the Board that his only suggestion for this 441 Main Street property would be, and he believes, that it's time that the town gets all boards working together. Dunn proposed to bring the Chairmen of Planning, Health, Conservation, ZBA, and the Building Inspector in to meet with the Selectmen in a work shop session to talk about what we can do to implement a new process on how to clarify issues like what's happening at this property (441 Main). Dunn remarked that there was the same situation at a property on Salem Street.

Dunn told his fellow Board members that in the interim he would like to bring in the Building Inspector, sit him down and ask him if he would allow a few mandatory check offs for his sign off sheet so that we stop all this and the right people get to the information for the properties that they need to inspect. Dunn stated that some departments/parties weren't informed properly, some were and he feels they need to get a grip on this because it is starting to cost the town a lot of money; that there have been a lot of appeals. Dunn said he feels it is out of control; that he is on the Zoning Board and sees it and feels it's an urgent thing that they need to get right on. Selectman D'Amore responded that Dunn was at that meeting and if he feels this is way to proceed he is in favor of doing so, although he has concern that the discussion will become more about 441 Main Street issues and they would owe the new owner the courtesy of being invited to the meeting. The Board's Assistant responded that if the meeting is posted as discussion with the Building Inspector about his department's sign-off sheet, the only discussion they can have with him is about the sign-off sheet in general, not in regards to any specific property. D'Amore responded he would be fine if they are talking about a procedural issue, not any specific case. Dunn stated that he personally doesn't think the Selectmen can talk about 441 Main Street until the ZBA does its business; that their business hasn't been settled yet. D'Amore asked if Dunn was saying that the ZBA is in the process of helping the owner of 441 Main Street become compliant, and Dunn responded that that is what the ZBA is working on. Dunn also told the Board that he would also like to ask the Building Inspector if he would attend all Zoning Board meetings, stating that most towns around require that because Building Inspectors have input on various issues before the ZBA. Gorski agreed saying that may help with the confusion and would support asking him to attend the meetings.



Selectman Dunn told his fellow board members that they have had the Building Inspector for a long time and he's done a good job; that he's not complaining about him personally; that he's complaining about the system breaking down. Dunn finished by saying they do not need any more of these complaints coming in where it's costing the town money in the legal system; that they need to stop it. Dunn reminded the Board that they have already adopted bringing in department heads every 90 days and they have not invited in the Inspector yet. Dunn stated he is not there to reprimand anyone, he is there trying to make the system smooth. Dunn remarked that somehow two buildings got put 10' off the property line when they are supposed to be 15'; that there's a breakdown somewhere and it's causing a lot of havoc; that volunteers are going to meetings and going home frustrated; that there's arguing going on and the Selectmen need to protect their volunteers and somehow find a way to fix this. The Board agreed to ask the Building Inspector to attend their meeting on October 20<sup>th</sup> to discuss the Building Permit sign-off sheet and his attending ZBA meetings regularly.

The Board then briefly discussed the loam pile and seeding that needs to be done at Bagnall School as part of the Bagnall Building Committee's request to the Road Commissioner. The Highway Department is busy trying to finish up paving and has not been able to get to that work yet. Chairman Gorski stated that if the Highway Department doesn't have the time and is unable to help, the Building Committee may need to be told that they may need to hire an outside contractor to take care of the spreading and seeding. Dunn stated that the work would have to be completed by the middle of November otherwise the seed won't germinate. He also told the Board that he was told the Committee has money remaining but want to use the money to buy a generator for the school and they are coming up short.

Selectman D'Amore suggested the Board needs to meet with the Road Commissioner so he can tell the Board what he will be able to do for the Bagnall Building Committee. The Board's Assistant told them that the Highway Department is busy preparing their equipment for winter, paving some roads, getting some work done at the Pine's while the weather is still cooperating, taking care of catch basins, etc.; that Arakelian has already said he will do the spreading as soon as he can get to it. D'Amore stated the Board needs an update from Arakelian which may or may not reconcile with Mr. Osborne's requests; that he would rather hear it from the people who the Board tasked to do the job, not the person wishing to have the job done. The Board's Assistant responded that the last time this was discussed by the Board, the Board said that if Bob can do the work requested, that he should let Mr. Osborne know what he can do out of the list sent by Osborne to everyone and which he felt Arakelian was ignoring; that she had asked Bob and he had told her he had taken care of the catch basin issue and would get to the back yard as soon as he could; that he does what he says he will do just maybe not always as fast as someone may want him to do. Lewandowski told the Board they need a bigger Highway Department if they are going to keep giving them all the projects that need to get done. Chairman Gorski agreed.

#### **Property Use Permit Request**

Tracy Gilford presented the Board with a Property Use Permit Request for the Congregational Church upcoming Church Fair which requests that parking be allowed on Perry Park as in past years. The Fair dates are November 7<sup>th</sup> and 8<sup>th</sup>. Selectmen reviewed and signed the Permit Request.

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There being no further business to come before the Board, moved Dunn, seconded D'Amore,  
and it was

**VOTED:** To adjourn.

3-0

Adjourned at 7:41 P.M.

Respectfully submitted,

Nancy Lewandowski  
Administrative Assistant