



## BOARD OF SELECTMEN AGENDA

May 19, 2014

**6:15 P.M.** - Call meeting to order

Welcome newly elected Selectman William Dunn

All stand for Pledge of Allegiance

Vote to Reorganize – Nominate and Vote new Chairman

Approve Bi-Weekly Warrants, votes needed

Payroll Warrant –	PW14-46	\$ 136,504.16
Bill Warrant -	BW14-45	\$ 376,152.79
Deduction Warrant –	DW-14-44A	\$ 24,994.54

Approve Property Use Permits, if any

Review Correspondence, take action if needed, votes may be taken

- 1) Review and vote to grant Common Victualler License to Jeff & Maria's Ice Cream & Food at 918 Salem Street (see application attached)
- 2) See invitation to speak at Memorial Day Service on Thursday, May 22, 2014 at 6:30 P.M. on Town Complex

**6:30 P.M.** – Groveland Baseball League representative Joe Sullivan, et al, to discuss playground equipment at Washington Park and GBL's plan for future

Selectman D'Amore – general discussion of ideas with fellow Board members

### Adjournment

**Date of next regular meeting: Monday, June 2, 2014**

MINUTES  
BOARD OF SELECTMEN

May 19, 2014

Meeting called to order at 6:15 P.M.

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

All stood for the Pledge of Allegiance

Selectman Gorski thanked Selectman Dunn for running commenting that it was the largest group of candidates they've had in years.

Selectman Gorski inquired as to when the Veterans' Day service will be held and the Board's Assistant told her it is scheduled for Thursday, May 22, 2014 at 6:30 P.M. on the front green of the town complex. Gorski commented that she wished everybody would make an effort to attend because the Veterans of this town do such a great job and it would be nice if they had good participation.

**Reorganization of Board**

Selectman Gorski addressed her fellow Board members telling that every year after town election the Selectmen have a gentleman's agreement where they change Chairmanship, voting in the Selectman who is in the final year of their term. She commented that she didn't know if they may want to change this. D'Amore moved, Dunn seconded, and it was

**VOTED:** To nominate Selectman Gorski as Chairman of the Board effective immediately through the 2015 Town Election.

Selectman Gorski thanked the Board and accepted the nomination.

**Approve Warrants**

Moved D'Amore, seconded Dunn, and it was

**VOTED:** To approve Payroll Warrant #14-46.

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

Moved D'Amore, seconded Dunn, and it was

**VOTED:** To approve Bill Warrant # 14-45. 3-0

Moved D'Amore, seconded Dunn, and it was

**VOTED:** To approve Deduction Warrant #14-44A. 3-0

**Property Use Permits**

Chairman Gorski informed Selectman Dunn that although there aren't any Permits this evening, when they are they are on the meeting room table and require the approval of the Board of Selectmen. The Permits are for use of any Town Property, including playing fields, and permission is only granted through the Board of Selectmen.

**Common Victualler License**

The Board reviewed the Common Victualler Application and the License prepared by their Assistant and applied for by Jeff & Maria's Ice Cream and Food shop located at 918 Salem Street. Selectman D'Amore announced that he had attended a Zoning Board of Appeals meeting when this business was seeking a Special Permit; that he spoke as a member of the public in favor of the business and told the Board that he thinks this is kind of exciting and great to see businesses come into town; that this is a wonderful operation that is planned for the facility where Bill Dunn had operated for a while. D'Amore stated that he had reviewed all of the documents presented and asked if town counsel would do so as well. The Board's Assistant responded that counsel does not review the common victualler applications. Chairman Gorski mentioned that the property was before the Conservation Commission recently and Selectman Dunn asked whether other boards have issued permits on this new business. The Board's Assistant suggested the Board consider voting to approve the license subject to the business having received approval and permits from all necessary town boards, and that if the Board signs the license, she will not release it until she has received confirmation. Moved Dunn, seconded D'Amore, and it was

**VOTED:** To issue a 2014 Common Victualler License to Jeff & Maria's Ice Cream & Food Shop located at 918 Salem Street, said issuance subject to the owners having received approval from all required town boards. 2-0

**Correspondence**

Chairman Gorski read aloud an invitation received from the Veterans group inviting the Board of Selectmen to speak at the Memorial Day Service on Thursday, May 22, 2014.

**Board's General Discussion Period**

Selectman D'Amore commented on this section being added to the weekly agendas stating that he feels it is a good idea and has a couple of ideas to share with his fellow board members this evening. D'Amore stated he is doing some research and putting together some policies on how the Board should operate with some rules. He told the Board that he noticed how his service on the school committee and now on this board is different; that the school committee was driven by internal policies, how they actually operated, and the bylaws are the bylaws and they are just too general, and not specific enough to direct the Board on how they should operate, how to manage themselves, how to resolve issues with Board members who seek resources from our town and petition us, or other employees. D'Amore told the Board that he wants to float a couple of draft policies and have the Board look them over for two or three meetings, come back with some ideas or edits so eventually they can put together some rules on how they operate. He gave an example saying he is a little concerned how some board or commission members can be construed as being a little overly aggressive in asking certain town employees for some resources, and he thinks the Board should have a rule about how people should present themselves to the Board of Selectmen when they are asking for resources, especially if they are on another commission or board; that he will be very specific in the first two or three he sends

MINUTES-PAGE #3  
MAY 19, 2014

out to the Board so they will know exactly what he is talking about based on some meetings they've had in the last few months.

D'Amore told the Board that he doesn't want to author something and ask the Board the vote on what he authored; that he wants to bring them an idea, share it with them and, hopefully, get buy in from both of his fellow board members and even have them edit, add some ideas over at least two meetings and then when they all feel comfortable they vote.

D'Amore reported that he came up with a couple of ideas and bounced them off the Finance Director in terms of the organization of the Recreation Committee; that she (Dembkoski) has some ideas, he has some ideas, and he's sure that the rest of the Board may have some ideas. He told the Board that on June 2<sup>nd</sup>, if the Board is ready, they'd like to do a sort of a roll out of these concepts, but he would not want to present them to the Board to be voted on June 2<sup>nd</sup> because that wouldn't be fair; that what they'd like to do is present what he came up with and what Denise came up with, then the Board members come back with some thoughts and perhaps two meetings later the Board can vote on it.

Selectman Dunn asked whether D'Amore is talking about the members on the committee and was told no, not necessarily that, but specifically how the Rec operates. D'Amore stated that at this point he has some concerns that they are quasi government; that they have their own bank account, do their own fundraising, and they also utilize town resources. Chairman Gorski told D'Amore she is glad he said that because she also had that on her list to talk about; that when it's convenient for them to be part of the town, it's convenient to be part of the town, but when they are off doing other things.....Gorski stated she thinks it is a good time to talk to the Finance Director about that. D'Amore responded that it's important also to make sure they aren't doing something outside of the bylaws. D'Amore told his fellow members that they have to be respectful and mindful that a proposal has been made by Steve Merrill for reorganizing and they (D'Amore and Dembkoski) want to have a response so his feeling is for the Board to let him come up with an idea; that he thinks Dembkoski has some ideas, and then two or three meetings after the Board might have something they can vote on.

Selectman Dunn commented that with all respect to the committee members and all the people who run all the sports teams/events, he thinks part of it starts by when the resources from the town are not available, such as mowing or taking care of the parks, so they (rec and sports groups) end up going out and raising the money to do the jobs the town should be doing, so that starts the flow of the groups doing their thing and the town doing theirs. Dunn thinks they need to find a happy medium between what the town can do for them and what resources they can get from the town; that a lot of times those groups have to fundraise in order to take care of the fields, etc. Dunn finished by saying the town could need a Park Department and he thinks there may need to be a lot of conversation of this issue. D'Amore responded that if at the end of the day the three of them (BOS) can be the author of a proposal and vote on it, that is the idea. Dunn added that he would like to have the groups meet with the Board to share proposals and after discussion with all the Board votes on a proposal; that he doesn't want to be on a Board that tells people that the Board has made a decision and that's it. Dunn mentioned that being on the Zoning Board, he's aware of the Planning Board giving the ZBA a rough draft of zoning bylaws revisions and it appears that the two boards are at a stalemate; that a lady on the ZBA told him that she thinks the two Boards and the Selectmen should have a joint meeting and work through the draft and get it done. Dunn told the Selectmen that he was told the Planning

Board never once asked the Zoning Board to attend a meeting on the revision and stated that he asked did the ZBA ever ask the Planning Board to invite them to a meeting and was told the response was "no, why should I". Dunn told the Selectmen that these are the reasons why this happens and they need to intertwine their boards and get them to communicate with one another and work together. Dunn said the ZBA Chairman asked him to have the Selectmen try to coordinate a joint session of all three boards on the zoning revisions. D'Amore responded that he's excited to see the Zoning Board finally have full membership; that it's an important board that really impacts people and Chairman Gorski agreed. D'Amore commented that there has been a real feeling for taking a look at the Zoning Bylaws and making recommendations, not necessarily for changes, but how they can be of better service to the people. D'Amore told the Board that he has attended two Planning Board meetings and two Zoning Board meetings just so he can learn and he's learned there is a lot of history between those boards and they've been through a few years where they weren't talking to each other, but now they are talking and he thinks a three board meeting, suggesting June 26<sup>th</sup> which would give both boards plenty of time to get their ideas together and really work on a project of improving and possibly changing the Zoning Bylaws. Chairman Gorski asked whether the town had paid someone to do the draft revisions and a lot of money had been spent and the Board's Assistant responded that she is correct. The Board's Assistant addressed Selectman Dunn informing him that what he was told by the Zoning member wasn't totally correct; that the Planning Board and its representatives on the zoning bylaw re-write had asked the previous zoning board to review the draft and meet with them and the zoning board did not want to meet. The Board agreed to try to arrange a work shop session with Planning & Zoning for Thursday, June 27<sup>th</sup> at 7:00 P.M.

**Groveland Baseball – Playground equipment at Washington Park**

Joe Sullivan and Erin Pinkham, both members on the Baseball Board of Directors, and Marissa, a concerned parent met with the Selectmen to express their concerns about the condition of the playground equipment at Washington Park.

Sullivan told the Board they feel there is a safety concern with the current playground equipment and the surfacing underneath the equipment. Sullivan told the Board that they are looking to the town for support and funding assistance, and the league will also help as well. Pictures were present showing the ground area and Sullivan told the Board that the equipment was not purchased by the town but rather had been donated over 10 years ago by another city/town; that it's pretty old and gets a lot of use; that the swing set is about 20 years old and also does not have property ground cover and the League is concerned if someone falls while using the playground equipment.

Sullivan shared with the Board a list of recommended ground cover for playgrounds and told the Board that the League recommends a rubberized mulch or playground mulch. Sullivan told the Board that a 10' playground structure would need either 9" of the playground mulch, or 6" of the rubberized mulch. He told the Board that the plan would be to excavate and build the mulch bed with timbers and put down one of the two mulches they recommended; that they would like the town's assistance with the cost of materials and some help excavating the area first. Sullivan stated that GBL volunteers will construct the mulch bed and spread the mulch.

Sullivan told the Board that the cost of rubberized mulch is about twice the cost of the standard playground mulch but will last much longer; that each year with the standard mulch they will

need to add to it because it compresses quicker than the rubberized. D'Amore asked how much would be needed each year and Sullivan responded he doesn't know.

Selectman Dunn told the League members that he would like to speak with the Road Commissioner to see what his department can do to help; that he thinks the Highway can do the excavating and prep work for the League; that he thinks it would be a good thing if baseball has a team of people willing to put it together for them. Dunn also stated he agrees that the rubberized mulch is probably the best way to go; that wood chips aren't really used anymore. Dunn told Sullivan that he doesn't know what the Highway's schedule is or what the League's timeline for doing this project is, but he would like the Highway to be asked.

Sullivan responded that they were hoping to do the project as soon as possible and told them that the other question is the cost of the mulch. Dunn told him to they should get three prices; Dunn suggested they might need to speak with someone like Landscape Depot, J.J. O'Brien & Sons; that O'Brien & Sons sell the equipment and the mulch. Dunn stated that he feels these are the types of projects our Highway Department should be doing for them and because the town doesn't have a lot of money, it is the type of project that we can involve the people in the town and make them feel good about something they did; that he thinks the town is a great town but he doesn't feel the people are involved enough in the community. Sullivan told the Board that Marissa is the one who brought it to his Board's attention and when they looked into it they saw it is not up to code or compliance.

Selectman D'Amore commended the presenters for bringing this matter to the Board and stated it's a great opportunity to add another item to improve the quality of our life in town. D'Amore told those present that the Highway Department of this town does everything it is asked and always has; that they are an amazing group of folks. D'Amore stated that his only concern is if they present them with a project that's stipulated as soon as possible it could impose some issues. D'Amore mentioned that the Road Commissioner had recently told the Board that he is going to request some additional help be added to his department and the Board's Assistant responded that he was speaking about the following year. D'Amore stated he's not suggesting they wait a year for this but he knows they are involved in a major project of fixing some streets; that they will have to ask Arakelian when his men may be able to help with this but they may have to live with the reality that it may not happen as soon as possible; that it may not happen even late summer or Fall before he can get it scheduled properly because his department does have some significant priorities. D'Amore commented that the Pine's project is a focus item for them as well; that it has to be ready for Groveland Day and a few other things. He told the group that he is concerned about asking the Highway Department to do another project as soon as possible; that that is the only thing. D'Amore told Sullivan that it's no disrespect to the proposal but it's been like this for a while and suggested the Board's Assistant speak with Arakelian and ask him to provide an evaluation of how many man hours will be needed, what equipment will be needed and when he estimates they could possibly get to it.

Marissa told the Board that they did have a parent who owns a bobcat offer to do the excavation and asked if that would be possible. D'Amore responded that anything is possible but they would have to explore what the liability issues might be if someone gets hurt while volunteering on a town property. Erin Pinkham told the Board the key will be when and what resources they can get from the town to get the job done quickly with respect to safety and timeliness. Dunn suggested they let the Road Commissioner review the package; that because he's (Dunn) in the

business, what he sees is it's only probably a day's worth of work; that Arakelian would probably only need to provide two men, a couple of trucks and machines for a day or a day and a half; that it's not like it's this huge project, so maybe he can fit it in; that if not they go with Marissa's suggestion of the volunteer with the bobcat. Dunn says he's not sure how the liability acts but thinks the person running the bobcat would need to have liability insurance. Chairman Gorski suggested it is something they should speak with the Finance Director about; that the person may have to provide his insurance certificate.

Sullivan told the Board that the League works on the fields continually; that they have Spring and Fall cleanups, etc. He asked how his group goes about getting funding from the town for purchasing the materials that will be needed; that he had reached out to CPA as D'Amore had recommended but those funds are not for short term use; that they could apply in September for a project the following Spring. The Board's Assistant asked if he had figures he could share and Sullivan offered the following estimate: \$4,200 for regular playground mulch and \$8,390 for rubberized mulch for everything including the timbers, screws, the mulch and the fabric that goes down under the mulch. The Board's Assistant told the Board that she doesn't know of any account that the town has that could pay for this project; that there is the Municipal Complex budget which is for the four town buildings; that she could have some unused funds in that but won't know until all the bills come in in June and can't say at this time whether there will be \$8,400. Sullivan asked if Capital Improvement funds could help and Gorski told him that is another group that funds long range.

Dunn commented that the town buys one piece of land after another but it can't afford to put woodchips in its playgrounds; that we will buy open space whenever we can get our hands on it and he thinks we have enough; that what the League is asking for is what we should be looking at. D'Amore responded that the funding mechanisms are there; that they just need to go through the process and plan ahead; that CPA is for Open Space, Affordable Housing and Recreation; that the money is there and they just need to go through the process to go get it. The Board's Assistant commented that CPA funds would be approved at the next Annual Town Meeting (2015). Sullivan told the Board his group has determined this is a safety concern; that kids are climbing all over it. Merrill told the Board that he son fell from it. The Board's Assistant told the Board that if it's a safety concern and there aren't available funds to solve the concern immediately that maybe they need to look at closing the playground for now. Chairman Gorski suggested that something like an annual drive be done to try to raise the money quickly. Selectman Dunn asked whether they have ever thought about looking for federal grants and Marissa responded that her husband had researched that and found that the awards are most likely awarded to larger cities that have more needs. Dunn also asked about the monies from selling the dirt at the Pines and the Board's Assistant responded that any revenue coming from that property must be put back into the property; that it would take a vote of Town Meeting to change that.

The Board's Assistant suggested to the Board that if the playground is really a safety concern the Board should probably consider shutting it down. Dunn suggested he has one further thought; that Arakelian be spoken with to see how soon his department could help with the digging and see if they have enough woodchips that could be used there until the League can get the funding issue resolved.

Selectman D'Amore asked the League representatives to return to the Board's meeting on June 2<sup>nd</sup> and by then they should have an understanding of what the Highway can do on either the master project, or the temporary and the Board will try to make a decision that evening, at least for the temporary fix; that the rest of it. if they want to go before the CPA or CIC for funding next Spring they should plan ahead; that he feels it's the consensus of the Board that they want this project just as badly as the League does.

Erin Pinkham told the Board that she can speak for Sullivan and Marissa that long term they would like the project funded by whatever funds are available through the town so it doesn't have to come out of GBL's pocket. D'Amore responded that at the end of the day the Board is relying on the Leagues eyes and ears because as their Assistant stated, that if the place is really unsafe they need to let the Board know that because the Board and the town are responsible. Pinkham responded that fortunately, no one has gotten seriously hurt.

Pinkham than asked if the new Guidelines pertain to the Little League Park and the Board's Assistant responded no; that they do not pertain to ballgames, only if a special event was being held at that property, using a carnival as an example. D'Amore added that the Guidelines have to do with stand alone events. Pinkham told the Board that she needs to have a few things clarified in the planning for another Possessed Quest event before she will come before the Board for permits. D'Amore suggested she schedule time on the June 16<sup>th</sup> agenda.

Chairman Gorski told the LL reps that they are monies available through CPA and CIC and their groups should be able to receive some of that. Pinkham asked if there are guidelines somewhere they could look at and D'Amore recommended she speak with Mike Dempsey about it. Chairman Gorski told the groups that as Dunn stated, we have enough Open Space and it's time to use some CPA money for other projects. The Board's Assistant told Pinkham to google Community Preservation funding and doing so will provide her with the link with the State; that she can review at that site what exactly the funds can be used for.

#### **Cleanup of former Getty Station property (21E)**

Chairman Gorski reported that she attended a meeting of Conservation because an agenda item was the cleanup of the former Getty Station. She told the Board that she found out about the meeting by a call from resident/business owner Greg Stark who once served on the Square and Bridge Committee. She reported that she requested that Conservation keep the Selectmen updated on any meetings concerning that property. She told the Board that she received a folder of information that she will leave with the Board's Assistant if they want to review it. Gorski reported that the realtor representing the property owner was also at the meeting.

#### **Groveland Day**

Chairman Gorski informed the Board that she had received a call from recreation member Erin Merrill regarding Groveland Day and the 4<sup>th</sup> of July event; questioning the numbers of detail officers that are now being required under the new Guidelines, and the cost of the insurance; that she was talking about the number of people that may attend during the day; that she also mentioned Veasey Park. D'Amore asked if Merrill was talking about the new Guidelines and objecting to them and Gorski responded that she thought so. Gorski commented that the Board doesn't want to put Veasey out of business and told the Board she thought they said they would revisit the Guidelines. She also commented that the Board's Assistant had explained the change in the Alcoholic Beverage Commission laws about needing to buy from distributors



approved by ABCC, not from NH to save money then bring it to MA for a party that the Board is issuing a one day license for. Gorski also was questioned about events without liquor and whether there's a need for all the Detail Officers mentioned in the Guidelines. The Board's Assistant responded that the Selectmen have never required Details for parties at Veasey that were not seeking a one day alcohol license; that it's her understanding those numbers in the Guidelines were put together based on Steve Merrill's suggestion that Groveland Day beer and wine event is a big success and the numbers of people attending will be growing; that he had suggested 350-500 people may attend this year. Gorski responded that maybe that was an exaggeration.

Selectman D'Amore commented that even though they have the new Guidelines, they as a Board can still cherry pick any event and attach special stipulations to it. D'Amore suggested that Groveland Day may not have alcohol if that is what they designate; that this is something they need to vote on and he would like it to happen by June 16<sup>th</sup>. Dunn asked if the group that runs Groveland Day will be in to talk about their plans and he was told they do and Dunn commented that they can all sit and talk about this together. Dunn was told the group has already been in but will be back.

The Board's Assistant told them that in regard to the event run by the Soccer Organization at Shanahan Field on the 3<sup>rd</sup> of July, she believes that last year they had asked for police assistance in regards to traffic control. Dunn replied that he had been at that event the previous year and the Highway Department has arrow boards out to assist with traffic; that he felt the event went well with everyone helping out.

D'Amore asked the Chairman to allow discussion on the June 16<sup>th</sup> agenda as to whether the Board will approve alcohol being allowed at Groveland Day. Gorski approved his request saying sometimes people come in expecting an answer immediately but the Board may need to look at all the pros and cons of the request before making its decision. D'Amore agreed but added in fairness to the group that are all amazing people and volunteer to put together the amazing event, Groveland Day, the Selectmen have discussed it with them several times now so it's time to schedule an appointment for them to hear the Board's decision; that the Board needs to give them an answer very early in the process. Dunn stated his concern is how the alcohol event controlled so that it doesn't get into the hands of someone who should have it; that he feels Groveland Day should be the day you bring your family out for a fun day and no alcohol allowed.

Chairman Gorski told the Board that she has gotten a call about parking problems at the Shanahan property; that the tenant in the Historic Commission building was blocked in again. Selectman Dunn stated the property needs to have a defined parking area, and D'Amore informed him that they have already made a designated area for parking for the tenant and a guest. If the tenant's parking is blocked the police should be called. Dunn stated that parking is a big issue there because of how large soccer has grown; that maybe the turnaround circle needs to be removed and that would help some, but then again there would be need for resources the town doesn't have.

Dunn told the Board he would like to make a request and told his fellow Board members that he would like to see the town follow Georgetown and Haverhill's idea of hanging flowers through their downtown area; that it looks really beautiful and asked if they could do something like that

MINUTES-PAGE #9  
MAY 19, 2014

here. Dunn stated that he would contact Nunan's to find out the cost. He told the Selectmen that Nunan's does a number of towns; that they hang the pots and come back to fertilize and water regularly. D'Amore told Dunn he thinks it sounds like a great project and told him to get all the information needed and propose to the Board at the first meeting in July. The Board's Assistant responded that you really need to have it done in the spring and Dunn said he would have the information for a meeting June 16<sup>th</sup>.

D'Amore stated that Selectman Dunn had asked him how a board member puts something on the agenda when they are approached by a town person about a problem. D'Amore stated that he told Dunn that the agenda needs to be set by the Chair, along with the Board's Assistant; that a Board member can certainly make recommendations of agenda items. He told the Board that his next phone call from a taxpayer wanting to have something on the agenda, he will recommend that the taxpayer call the Board's Assistant first, then she will confirm with the Chairman whether or not it should be placed on the agenda, or whether or not it is even an appropriate subject for the agenda. D'Amore stated that the Selectmen don't want to get into the habit of telling the taxpayer not to worry; that they will get the matter on the agenda for them; that he had that mistake the first couple of months he was on the Board and said it was simply because he didn't understand the process. D'Amore told the others that he really appreciates them letting him roll out some policies for them all to work on. Chairman Gorski responded that although they all want to help people when they are approached about an issue, she agrees that it would be good to have a policy.

Selectman Dunn stated again that his biggest thing is he would like to see the Selectmen get the boards/committees mesh better together; that from his experience of being on different boards that he thinks sometimes it takes a leader to lead and sometimes that might have to be the Board of Selectmen. Dunn mentioned some confusion when he had to get a building permit, which he got, but then was told the Fire Department was supposed to sign off.

Chairman Gorski if there was anything else and D'Amore stated that he wanted to voice the Chairman's previous sentiment and welcome Selectman Dunn to the Board stating that he is a welcomed addition and he looks forward to working with him. Chairman Gorski commented that Dunn had a great first meeting and Dunn agreed. He told the Board that during his campaign he had mentioned that he had been on a committee in Maine where he has a summer home; that he became President of the committee for two years and that they had a lot of fun; that you don't have to make it so serious all the time; that you can make it fun when you can and try to get everyone get along. Dunn stated he knows next year there will be a five member board; that a lot of people were for it and a lot were against it; that he personally thinks if the five can divide the work up a little bit and take the load off the Board's Assistant, that it will keep things moving forward.

Selectman D'Amore told the Board that they have an opportunity or should make an opportunity to negotiate a new contract with the Fire Chief by July 1<sup>st</sup>. D'Amore stated that he does have some concerns and will put them in writing, send them to the Board's Assistant to be shared with the Chair. D'Amore stated he would like to have the discussion with the Fire Chief and it will be his option as to whether to have it in Executive or Open Session; that he's not proposing this is going to be a contract negotiation; that he wants to specifically talk about two concerns that he has; that he will send them to the Board's Assistant later that night and she can share them with the Chair and she can make the decision how to approach the Chief and the Chief

MINUTES-PAGE #10  
MAY 19, 2014

can inform her whether he wants to have the discussion in Open or Executive Session and that he would wish to see that meeting, either way, on the agenda for June 2<sup>nd</sup>. D'Amore told Chairman Gorski that upon her discussion with the Fire Chief that if he's not available for June 2<sup>nd</sup> she can schedule the meeting for the 16<sup>th</sup> or whenever he will be available.

Selectman Dunn asked if the Fire Chief already has a three year contract and the Board's Assistant responded he has a contract that runs out June 30<sup>th</sup>; that he's not required to have a contract and may not wish to have one but if he does, he can only receive an annual contract. Selectman D'Amore commented that the Board of Selectmen can choose to or not choose to negotiate as well and he will express his feelings about that on June 2<sup>nd</sup>.

Selectman Dunn asked about the Board of Fire Engineers and how the changes in the department came about. Chairman Gorski explained that the Engineers came before the Board and asked to be disbanded. The Board's Assistant added that they did come back and say they changed their minds, but it was after the question had already been placed on the Warrant.

D'Amore told Dunn that the Board of Engineers was formed under MGL C. 40A, Sec 45-55, but the Engineers never operated under that law because they never appointed the Fire Chief, and because they didn't the town, by default, was acting under the Weak Chief law which basically reverts the appointing authority to the Board of Selectmen. D'Amore told Dunn that in his opinion, the Fire Engineers had been acting more like an advisory committee to the Board of Selectmen; that they asked to be dissolved and that's what they did. D'Amore told Dunn that the Board and town then signed up for another law and that is the Strong Chief law and that's what they have now. The Board's Assistant corrected D'Amore stating that the Board was petitioned to put an Article on the Warrant accepting the Strong Chief law; that the Board of Selectmen did not sign up for anything and Chairman Gorski agreed saying it was a people's petition. D'Amore asked who did the petition and the Board's Assistant responded a group of resident voters. Selectman Dunn stated that he would like to say that he didn't realize that the Fire Chief was coming up for a new contract so soon; that he personally would like to see a committee made up of retired firemen, former Board of Engineer members sit with them to help the Selectmen negotiate the next contract; that he doesn't have the knowledge to do that and he thinks they need to have people that do have the knowledge help bring them up to speed. D'Amore responded that it's an idea but unfortunately there are risks because there are political motivations involved and he wouldn't trust anyone other than the three of them to negotiate on behalf of the town. Dunn responded that he doesn't think those he mentioned should be negotiating but rather meet with the Board beforehand to tell them information they may need to negotiate themselves. Dunn told the Board that he doesn't have enough knowledge to know what the Fire Chief does or needs to do. D'Amore told Dunn that if he wants to propose that idea under the two meeting rule for the Board to vote on at a later date he should do so.

D'Amore told his fellow Board members that he was very clear at Town Meeting and will repeat it there since they are talking about it, that he is going to propose to the Board sometime next year as a Warrant Article the restructuring of the Fire Department with a Board of Fire Engineers, but not like they ever had it before, it will be properly under the correct law and the structure of which he is working on with resources outside of Groveland; that he's doing the research and is not a fire department expert but he's taking his time doing the research and doing the homework and he's not suggesting that its anything he wants to implement on his own; that the first thing he's going to do is to roll it out to the Board and ask that they consider

MINUTES-PAGE #11  
MAY 19, 2014

voting on it after they have had at least two meetings about it, and if it does become a Warrant Article he will stand before the townspeople and give them the choice if they want to go into a model that the town never had and that is to have a properly constructed Board of Fire Engineers under the proper law.

D'Amore told Dunn again that he welcomes his service to the town; that the Board wants to encourage people to present ideas to the Board but the Board also has a duty as elected officials to present ideas as well. Selectman Dunn responded that he absolutely agrees and thinks that he was voted by the people to make sure he makes the right decisions and he would like to make the right decisions based on the right knowledge and someone who has been a fireman for 25 years will have the knowledge he needs. Chairman Gorski responded that she thinks they should proceed with caution when selecting Chiefs, and asked for a motion to adjourn.

Moved D'Amore, seconded Dunn, and it was

**VOTED:** To adjourn.

Adjourned at 8:13 P.M.

Respectfully submitted,

---

Nancy Lewandowski, Administrative Assistant