

Groveland Board of Selectmen
Meeting Minutes
April 21, 2015

Present: Chair Bette Gorski, Selectman Joe D'Amore, Selectman William Dunn

Absent: None

Others Present: Denise Dembkoski (Finance Director)

Recorder: Melanie Rich

The meeting was called to order at 6:10 p.m.

RESIDENT/PUBLIC COMMENTS: None tonight

APPROVAL OF WARRANTS:

Selectman D'Amore voted to approve PW#15-43 in the amount of \$138,204.67; Selectman Dunn seconded; all voted in favor; Chair Gorski abstained; warrant approved.

Selectman D'Amore voted to approve DW#15-41A in the amount of \$23,420.77; Selectman Dunn seconded; all voted in favor; warrant approved.

Selectman D'Amore voted to approve BW #15-43 in the amount of \$412,923.43; Selectman Dunn seconded; all voted in favor; warrant approved.

APPOINTMENTS:

Chair Gorski made a motion to appoint Robert A. Richards, Hamilton MA, to the position of Reserve Patrolman effective April 21, 2015 through June 30, 2015; Selectman Dunn seconded; all voted in favor; motion approved.

DISCUSSION & POSSIBLE VOTE:

Town Election – Authorize filing of special legislation as a “Governor’s Bill” to clarify implementation of Chapter 184 of the Acts of 2014 to increase the size of the Board of Selectmen and to ratify all action taken by the town with respect thereto; and further to authorize the Town Clerk to take all additional steps that may be needed to carry out the purposes of the vote taken hereunder:

Chair Gorski read the motion that the board vote to request the Governor to submit special legislation on behalf of the town, and in accordance with the Home Rule Amendment to the Massachusetts Constitution, ratifying, validating and confirming the May 4, 2015 Annual Town Election for Selectman, despite technical non-compliance with G.L.c.54, §41, 42 and 64, and the provisions of Chapter 184 of the Acts of 2013, in a form similar to that attached to the minutes of this meeting, and further to authorize the Chair to sign a letter, similar to that attached to the minutes, both revised as the Chair and Town Counsel deem appropriate, submitting the proposed legislation to the Governor.

An Act Relative to the 2015 Annual Town Election in the Town of Groveland: Section 1. Notwithstanding the provisions of Sections 41, 42 and 64 of the General Laws, Chapter 184 of the Acts of 2013, or of any other general or special law to the contrary, the election of three selectmen at the May 4, 2015 Annual Town Election in the Town of Groveland, including all actions taken with respect thereto and in reliance thereon, are hereby ratified, validated and confirmed, as though such offices had appeared separately on the ballot with candidates arranged in groups according to their respective terms of office. Section 2. This Act shall take effect upon passage.

Ms. Dembkoski explained that the initial legislation did not clarify how the election of the new candidates would take place going from three to five selectmen. The two highest vote getters at the May 4th election would receive a three year term; the third highest vote getter would receive a two year term. Selectman Dunn moved the motion read by Chair Gorski; Selectman D'Amore seconded the motion; all voted in favor; Chair Gorski abstained; motion approved.

Merrimack Valley Planning Committee (MVPC) Permitting Guide – Selectman Dunn said the subcommittee met and reviewed several proposals. Three proposals will be sent to various boards and committees for input. In the interim, a proposal was received from the MVPC which he forwarded to Ms. Dembkoski for clarification. She said local hours are built in to assist with special projects, etc. Typically the Assessor's office uses those hours at the end of each fiscal year updating the maps for the GIS. By using the allotted hours for the MVPC, the cost will be \$2,750; without the allotted hours, the cost would be \$6,390. Ms. Dembkoski's recommendation would be to take a portion out of each committee and/or board's expense line item that would benefit from it. Selectman Dunn made a motion that the board move forward with the MVPC permitting process provided the cost of \$2,750 can be funded; Selectman D'Amore seconded the motion; all voted in favor; motion approved.

Finance Committee Approval of Budget – Selectman D'Amore said he reviewed the budget that was approved by the Finance Committee and felt that they are fairly in line with the board's budget. Selectman Dunn said FinCom should have the final say and is confident they will do the right thing. With limited time left before town meeting, Ms. Dembkoski said that the Chair, Bill Cook and herself could meet with Valerie Osborne to go through the warrant. Selectman Dunn said this is the time where residents can speak and be heard. There was brief discussion about changing the town meeting day to a Saturday (which would be a bylaw change).

VOTES OF THE BOARD:

1. Selectman D'Amore made a motion to adopt the Employees Code of Conduct; Selectman Dunn seconded the motion; all voted in favor; motion approved.
2. Selectman Dunn made a motion to adopt the Visitors Code of Conduct; Selectman D'Amore seconded the motion; all voted in favor; motion approved.
3. Selectman Dunn made a motion to accept the resignation of Ralph Renzulli (Water and Sewer Department) effective April 9th; Selectman D'Amore seconded the motion; all voted in favor; motion approved.
4. Pay Adjustment for Chris Liquori (Cable Coordinator) – Ms. Dembkoski is recommending an increase in his hourly rate from \$25.75 to \$26.43 and decrease his hours from 19.5/week to 19/week to be in compliance with the Personnel policy. Selectman D'Amore made a motion to accept the Finance Director's recommendation as stated to adjust the salary of Chris Liquori and decrease the hours from 19.5 to 19/week so his salary will remain the same; Selectman Dunn seconded the motion; all voted in favor; motion approved.
- 5.-9. Selectman Dunn made a motion to accept the March 23, 2015 Minutes, March 30, 2015 Executive Session Minutes, April 1, 2015 Minutes, April 2, 2015 Executive Session Minutes, and April 2, 2015 Minutes; Selectman D'Amore seconded the motion; all voted in favor; motion approved.

10. Selectman Dunn made a motion to issue a Property Use Permit for Boy Scout Pack 113/Troop 87 to use Perry Park on May 9th for their electronic fundraiser and to place signs at Perry Park, Washington Park, Salem/School and 4 corners leading up to the event; Selectman D'Amore seconded the motion; all voted in favor; motion approved.
11. Request by Water/Sewer Commissioners to grant Tom Cusick five additional vacation days per year – Ms. Dembkoski found that Mr. Cusick's vacation time is not what he should be receiving according to the personnel policy. Mr. Cusick said his board upon hiring him gave him five additional days, but there is no documentation. Ms. Dembkoski received a letter from the Chairman of the Water/Sewer Commissioners asking for the five additional days and was also provided with a letter from 2009 asking for the Water/Sewer Commissioners to set a vacation time policy for the Water/Sewer Superintendent. She has not had a chance to review all minutes to see if it was approved in 2009, but since that time, the five days have not been recognized as far as the town is concerned. She met with Mr. Cusick and said he needs to provide a written document of how they are operating so it can be incorporated into the policy. The current personnel policy does not address the Water/Sewer Departments. Part of the policy should state what benefits an employee receives and how they are getting paid. Further investigation is needed before the board can make a decision. The board would like to see a revised draft personnel policy that is uniform that can be applied to all employees.

CORRESPONDENCE:

December 15, 2014 Minutes, April 6, 2015 Minutes, April 7, 2015 Minutes, and April 8, 2015 Executive Session Minutes will be voted on at the next meeting.

Letter from Lacey Paige re Winter Sidewalk Plowing – Ms. Paige wrote the Highway Dept outlining her concerns and copied the board. She felt that sidewalks were not plowed quickly enough and it was a safety issue.

Small Business Administration Disaster Assistance available to Private Non-Profit Organizations – People can visit the www.mass.gov/mema website for information on how to apply for low interest rate disaster loans resulting from damages caused by a severe winter storm, snowstorm and flooding on January 26-28, 2015. \$2 million is available at a rate of 2.625% with terms up to 30 years.

FINANCE DIRECTOR'S TIME:

Andrea Johnson resigned from the Planning Board today due to family obligations.

A gentleman from Whitestone Village came in. He is concerned with the noise from ATVs and dirt bikes and feels it is a safety issue and would like to find a resolution. He will come before the board at the next meeting.

Complaints were received about dog waste on the Pine fields. The town is paying to keep them limed and fertilized. People should be more responsible.

Ms. Dembkoski received a call about the fire truck article. She said it is not debt exclusion. The tax rate will not change whether it is approved or not approved. The funding of the fire truck will be done within the constraints of the budget.

The town meeting is April 27th. 7:00PM Special Meeting; 7:30PM Annual Meeting; Election is May 4th; next Selectmen’s meeting is May 5th; Candidates Night is April 29th 7:00PM - 9:30PM. No information to date has been received from Campaign Finance regarding the CPA newsletter.

Selectman D’Amore read the letter that will be sent to all boards and committees reminding them of the Open Meeting Law. Selectman D’Amore made a motion to approve, sign and send the letter; Chair Gorski seconded the motion; Selectman Dunn made a friendly amendment to change “Finance Director” to “Finance/Personnel Director”; all voted in favor; motion approved.

SELECTMEN’S TIME:

Audit Report – Ms. Dembkoski said the material weaknesses identified by the auditor were primarily accountability for the financial documents, audit report, and management responses. She believes everything has been done to clear them up. The majority of all other items comments should be cleared up by the end of the fiscal year, as well as the checking account issues. The recreation matter will take time.

The Finance Committee joined the BOS meeting to discuss/clarify warrant articles. **Article 7**-FinCom does have the authority to make changes/recommendations because the superintendent falls under the Personnel Policy. **Article 16**-The revolving account is to be specific to the Bagnall School Summer Program. There is a large surplus. Revolving accounts are meant to have a zero balance at the end of the fiscal year; not be an account to build up. Ms. Dembkoski has reached out to them, but has not received a response. Chair Gorski will follow-up. The person in charge should come to the board to explain what is going on. **Article 25**-Selectman D’Amore made a motion to make the recommended changes to Article 25, retaining all language as is with the exception of Section II.2 An increase in Peer Review fees to update to current costs, Paragraph 10 in Section IV Current Language, with the goal of retaining the current fee structure; Selectman Dunn seconded the motion; all voted in favor; motion approved.

CPA projects and funds were discussed. Selectman Dunn is concerned that some of the projects will cost the town money down the road. Ms. Dembkoski will forward information regarding negotiations on the Bussing property to Mr. Cook.

Selectman D’Amore made a motion to adjourn; Selectman Dunn seconded the motion; all voted in favor; motion approved. The meeting was adjourned at 9:39 p.m.

Minutes Approved on May 18, 2015