

Groveland Board of Selectmen
Meeting Minutes
May 18, 2015

Present: Selectman Joe D'Amore, Selectman William Dunn, Selectman Daniel MacDonald,
Selectman Ed Watson, Selectman Michael Wood

Absent: None

Others Present: Denise Dembkoski (Finance Director)

Recorder: Melanie Rich

The meeting was called to order at 6:06 p.m.

Selectman Wood was introduced as the new member. Chair Dunn said he would work hard for the town in his position as chairman.

RESIDENT/PUBLIC COMMENTS: None

APPROVAL OF WARRANTS:

Selectman D'Amore voted to approve PW#15-47 in the amount of \$137,295.81; Selectman MacDonald seconded; all voted in favor; warrant approved.

Selectman D'Amore voted to approve DW#15-45A in the amount of \$22,319.93; Selectman Watson seconded; all voted in favor; warrant approved.

Selectman D'Amore voted to approve BW #15-47 in the amount of \$357,113.71; Selectman Watson seconded; all voted in favor; warrant approved.

Selectman D'Amore voted to approve BW #15-46 in the amount of \$23,495.00; Selectman Wood seconded; all voted in favor; warrant approved.

PUBLIC HEARING:

Dog Nuisance Complaint – Complaint filed against Diesel (a Rottweiler); owner Albertino Bernardo of 11 Doris Street; complainant Richard Cochran, 12 Doris Street. James E. Cochran, Sr., 147 Sylvan Street, Danvers MA was sworn in. He said the dog bit him as he was walking towards the gate in his son's driveway and provided photos of his injury. Officer Nate Peabody (Animal Control Officer and Reserve Officer) said during his investigation he found the dog dug and escaped underneath the fence. He was told by Mr. Bernardo that the dog has free roam of the basement and the outside backyard that is fenced in. His recommendation is to eliminate the outside access when Mr. Bernardo is not home with either an electric fence inside the fence that already exists, or build a pen on a cement slab so the dog can't dig underneath. The dog has bitten in the past, and there have been numerous calls that the dog is roaming loose on Doris Street. Mr. Bernardo has been issued a bylaw citation; a fine for not registering the dog (which is now registered), and a warning for the dog being off the leash. At the time of the bite, the rabies vaccine was not up-to-date; it is now.

Mr. Bernardo was sworn in. He explained there is a doggie door and a 4' chainlink fence so the dog could have access to the outside as well as inside. Last fall he put up a 6' vinyl fence around the entire property, making two fences. He has since filled in and leveled off the 4"-5" gaps that existed. When he is not at home, he no longer allows the dog to go inside and out; he closes the doggie door and the dog stays in the house. He has also put rebar into the ground so the dog can't dig. Chair Dunn said when the dog is out it should be on a chain at all times, and if not chained, then be in a pen with a slab and also suggested an electric fence. Based on the remedies that are being discussed, the dog would be considered a dangerous dog. Chair Dunn's made a motion to keep the dog licensed at all times, be fenced in and trained to an electric fence, and be on a runner when outside on the property at any given time; Selectman

D'Amore seconded the motion; all voted in favor; motion approved. Selectman MacDonald made a friendly amendment that Mr. Bernardo has 10 days to get the runner in place, 45 days to get the electric fence, and the dog must remain inside until the runner is set; Selectman D'Amore seconded the motion; all voted in favor; motion approved.

APPOINTMENTS:

Selectman D'Amore made a motion to appoint Erin Merrill to fill the vacancy on the Affordable Housing Committee through June 30, 2015; Selectman Wood seconded the motion; all voted in favor; motion approved.

Selectman Watson made a motion to appoint Alessandro Doto to the position of Reserve Patrolman effective May 18, 2015 through June 30, 2015; Selectman Wood seconded the motion; all voted in favor; motion approved.

Selectman Watson made a motion to appoint John Clearly to the position of part-time, temporary Cemetery Grounds Keeper for hours as needed up to 19 per week at a rate of \$10.00/hour effective May 14, 2015 through October 2015; Selectman MacDonald seconded the motion; all voted in favor; motion approved.

Selectman Watson made a motion to appoint Ryan Cotton to the position of part-time, temporary Cemetery Grounds Keeper for hours as needed up to 19 per week at a rate of \$10.00/hour effective May 14, 2015 through October 2015; Selectman Wood seconded the motion; all voted in favor; motion approved.

Selectman Watson made a motion to appoint Josh Croteau to the position of part-time, temporary Cemetery Grounds Keeper for hours as needed up to 19 per week at a rate of \$10.00/hour effective May 14, 2015 through October 2015; Selectman Wood seconded the motion; all voted in favor; motion approved.

DISCUSSION AND POSSIBLE VOTE:

Police Update on ATVs and Dirt Bikes – Deputy Chief Jeffrey Gillen was present to address the complaints about the ATVs and dirt bikes which are interfering with the quality of life of residents. He has recently put out a directive for police officers to patrol specific areas to gather intelligence. Over the last month they have had six encounters with ATVs and dirt bikes, gathered information and given out warnings. Officer Steve Petrone has been assigned to getting the information. He spoke with the environmental police and they said it is a problem for them as well. They used to have six environmental officers assigned to it; now they have one. They said they are going to help us and encourage the calls so they know what is going on because it affects them as well. More than \$1,000 in fines has been written. Deputy Gillen will look into manpower and try to address it more aggressively. He believes the word will spread (what was done this weekend). Chair Dunn said we need to continue to work together. The average fine is \$100 according to the bylaw, but can go as high as \$300.

Troy Ellis (Eagle Scout Candidate) to discuss/obtain permission on what he would like to do for his Eagle Scout Project –Mr. Ellis would like to remove the tires, have them recycled, and pick up any trash. Ms. Dembkoski said the Highway Department could pick it up. Chair Dunn suggested part of the project be to put up no trespassing signs on trees. Selectman Watson said they could make a sign to read “Eagle Scout Project in Process” to let people know what they are doing. Selectman D'Amore recommended Mr. Ellis meet with the Conservation Commission to obtain contact information for the state officials regarding the land that was purchased by the state on the other side of town in Hampshire Woods, since they are interested in putting together a volunteer group, through their resources, to clean it up. Chair

Dunn suggested adopting Mr. Ellis' proposal for the Center Street property project; work on Selectman D'Amore's proposal of Hampshire Woods property; put something together, and come back to the board after he has met with the Conservation Commission. He was told to contact Ms. Dembkoski with the dates he plans to do it so she can notify the board and the Highway Department. Selectman MacDonald made a motion to adopt the plan with a deadline of December 31, 2015; Selectman Watson seconded the motion; all voted in favor; motion approved. He will report back with an update in about a month.

Fire Chief Lay (to discuss fees and the Veto) – The Chief is requesting permit fees be revised since they have not changed in ten years. He would also like to add a \$10 Open Burning Permit. Currently they do not charge, but Chief Lay said there are costs associated with fire prevention. Selectman MacDonald's opinion is that it is nickel and diming. Selectman Watson said an increase in fees is a tax. Chief Lay said it is a fee; not a tax; it's only for those who choose to burn. Chair Dunn felt some fees should be addressed. Selectman MacDonald disagrees with the smoke detector proposed fee of \$50 and said \$25 per unit is reasonable. After further discussion, Selectman MacDonald made a motion to leave all fees at the existing levels; Selectman D'Amore seconded the motion; Selectmen MacDonald, Wood & D'Amore voted in favor; Selectman Watson & Chair Dunn voted not in favor; motion approved. Selectman D'Amore made a motion to adopt the schedule as proposed for those items that are not on the old fee schedule; Selectman Wood seconded the motion; Selectman Wood made a friendly amendment to base the fees on \$25 increments (\$25/\$50/\$75); Selectman D'Amore seconded the friendly amendment; Selectmen Watson, Wood, D'Amore and Chair Dunn voted in favor; Selectman MacDonald voted not in favor.

The Chief gave the background history on the Veto. The Veto Association held a fundraiser to put an addition on town hall. The Groveland Firefighters Association petitioned the CPA to care for it; it will cost \$38,000 to repair. Last week he was approached by Anita Wright (COA Board of Directors) who said the seniors need space and can they have their center there. The Chief said it is not a fire department issue. The build-out was voted on at town meeting. Chair Dunn said we need space for the seniors, but also need space for the people who work at town hall. Tracy Gilford (Cable Committee and Fire Department) was disappointed that he was not notified that it was going to be on the agenda, and also disappointed that it has taken two years after the townspeople have voted on the project. He suggested an update on CPA projects come before the board every three months. Selectman MacDonald said it should be at the entrance of town hall. Selectman Watson thought it should be in a free standing building but does not know where. Ms. Dembkoski does not know why it was not put out to bid two years ago. She has been working on it, but the architect has not provided her the final plans yet which is why it has not gone out to bid. Selectman MacDonald asked why the seniors are going to the Fire Department instead of coming to the board for an answer. Ms. Dembkoski said one of the COA board members was going to speak against the extensions of the renovations at the special town meeting, but Ms. Dembkoski felt that was not the best approach and suggested she come before the board to talk about the need for space and town hall. This room is where the COA does everything; painting, aerobics, etc., but if they are here, we can't have a meeting in town hall with more than five people. Selectman MacDonald said if it was voted on two years ago, why don't we go with that and turn that room into the Veto room; why do we have to go back to the committee to second guess the town meeting. Selectman MacDonald made a motion that they let it be and spend the money as it was voted on; Selectman D'Amore seconded the motion; all voted in favor; motion approved.

Establish BOS Liaisons to Boards and Commissions – Selectman D'Amore prepared booklets for the new members that contained the BOS Adopted Policies and suggested they pay particular attention to Attendance by Selectmen at Public Meetings, the Board and Committee Invitation to Meet with Selectmen, and the Membership of Boards and Committees by Selectmen. Chair Dunn said we adopted a 90-day/120-day policy where we bring each one of boards in to talk, and is asking two boards to come before the Selectmen. Ms. Dembkoski said the purpose of the liaison is to provide information; not to micromanage the board/committee. If there are questions, that person would contact the board they are

on. The liaisons were designated as follows: Affordable Housing Committee-Chair Dunn; Board of Health-Selectman D’Amore; Board of Library Trustees-Selectman D’Amore; Cable TV Advisory Board-Selectman Watson; Capital Improvement Committee-Selectman Wood; Community Preservation Committee-Selectman MacDonald; Conservation Commission-Selectman MacDonald; Electric Light Commission-Selectman Wood; Finance Board-Selectman MacDonald; Historic Commission-Selectman Watson; Open Space & Trails Committee-Selectman Watson; Planning Board-Selectman Wood; Recreation Committee-Chair Dunn; Water & Sewer Commissioners-Selectman D’Amore; ZBA-Selectman D’Amore; Pentucket Regional Finance Member-Selectman MacDonald; Little League-Selectman Wood; Road Study Committee-Chair Dunn & Selectman Watson; Schools-Selectman D’Amore; Services (Veteran’s Day, etc.)-Selectman D’Amore; Center Street Use Committee-Selectmen MacDonald & Watson; The Pines-Selectman Wood.

The Pines Dog Park (discussion regarding cleanliness) – Ms. Dembkoski read the letter from the Board of Health which included the Town Bylaw and Fine Schedule. Selectman D’Amore made a motion to adopt the recommendations made by the Board of Health as written in their letter of May 12, 2015; Selectman Watson seconded the motion; all voted in favor; motion approved. It will be revisited in six months to see if further action is necessary.

Selectmen Meeting Cable Broadcast Issue – Chair Dunn talked to Chris Liquori about the last meeting and how cable was not broadcasting properly. Mr. Liquori was unable to attend tonight but submitted a letter explaining some of the issues. Chair Dunn said a great deal of money was spent on the system and it is not working. Tracy Gilford is on the Committee and commented that when he became aware of the issues, he made the suggestion that they run a separate camera to have a backup because the BOS meeting is critical. He also asked Mr. Liquori to research to buy their own portable equipment. Ms. Dembkoski met with Mr. Liquori and he is going to get a price from the company who ran the equipment here to see what it would take to upgrade/update the wiring; and have Comcast come out to figure out whether it is the room or a Channel 22 issue.

Groveland Square: Grass Cutting on the Corner of Main and School Street – This is the property across from the diner. Ms. Dembkoski said we don’t know if it is Groveland property or state property. She has spoken with the Highway Department and they have to cut it by hand because they cannot get equipment over the guardrail; they will take care of it. Property at the Square Assessor’s Map 10, Lot 001 (Gas Station) – This is private property, but Chair Dunn said it is unsightly and residents would like something done about it. The property will be cleaned at the end of June/4th of July and the 21E (testing for spillage of gases) should be completed by then. Selectman Wood will contact the real estate agent for some fact-finding information.

VOTES OF THE BOARD:

1. Selectman Watson made a motion to approve and sign the Liquor License for Groveland Market & Liquor, Inc. (1 Washington Street) Package Store All Alcohol; Selectman MacDonald seconded the motion; all voted in favor; motion approved.
2. The April 21, 2015 Minutes will be voted on using The Rule of Necessity since the majority of the board was not present when these minutes took place. Selectman D’Amore made a motion to approve the Minutes; Selectman Watson seconded; Selectmen MacDonald, Watson, D’Amore & Chair Dunn voted in favor; Selectman Wood abstained; motion approved.
3. The April 27, 2015 Minutes will be voted on using The Rule of Necessity since the majority of the board was not present when these minutes took place. Selectman D’Amore made a motion to approve the Minutes; Selectman Watson seconded; all voted in favor; motion approved.

4. The May 1, 2015 Minutes will be voted on using The Rule of Necessity since the majority of the board was not present when these minutes took place. Selectman D’Amore made a motion to approve the Minutes; Selectman Watson seconded; all voted in favor; motion approved.

NEW AND OLD BUSINESS:

Selectman MacDonald said his understanding of the revolving accounts is that they are approved at the town meeting as required under state law, but that all of the revolving accounts were not presented. He would like that rectified by asking those in the responsible position for the revolving accounts to come before the board and read us those reports and to cure what was not done at town meeting. Ms. Dembkoski said there are revolving accounts for the Bagnall School Summer Program, the Boat Ramp, the Zoning Board of Appeals, and Veasey Park. She is asking for the reports to be handed in so they can be printed as part of the warrant. Selectman MacDonald wants to know what went on at Veasey Park and at the Bagnall School but doesn’t know because it wasn’t presented. Ms. Dembkoski will request information from them. She also said the items that they should be holding to at town meeting should be discussed with the new moderator.

Selectman MacDonald inquired about the tax title issues and how the town will handle them in the most cost-effective manner. Ms. Dembkoski said they have some title information which will be sent to the Assessor’s office. The Assessor will inform her of what changed hands and provide any deed information. At that point a title examiner will have to be hired.

Selectman D’Amore would like an update at each meeting on the tax list, an update on the Building Inspector search, and discuss the reorganization of the Recreation Department and the youth groups (how they are organized by authority) and fiscal management. Ms. Dembkoski, after seeing permits, field use, signs being put up on town property, buildings being built on town property without coming to the town and stated that money is coming in, but not to the town, brought it up to the board. It is a town appointed group and there is no oversight; they are not getting 1099s, or W2s and we need to take care of it. She received angry emails and people wanting to come before the board to argue their point. She thinks we need to develop a plan, figure out how to organize it, and meet with one representative from each to let them know what we are trying to do, tell us the fields they have, the permits they have, explain the process and thinks this is what needs to be done before we say that we are doing it, but don’t have a plan in place yet. Selectman MacDonald is against hiring a new person. Ms. Dembkoski would recommend establishing a revolving fund and make the Recreation Director earn their salary and maintain fees. She has no problem keeping it the way it is, but it should be separate from the town. The town owns all the property; we should be renting them space. They should not be appointed because they are handling money and not turning it over to the town.

Chair Dunn requested the Veasey Park Committee be a future agenda item as well as the Finance Committee.

CORRESPONDENCE:

YTD Budget Report – Received.

Draft Job Description Building Inspector Position

Draft Job Description Custodian/Facilities Position

Water & Sewer Operator/Technician Job Description – Ms. Dembkoski said it is posted and candidates will be coming before the board soon. The Water Department wanted the board to see the job description in advance.

Letter to Mr. & Mrs. LaFrance (1 Wharf Drive) from the Police Chief regarding Complaints about Hours of Operation at 441 Main Street – Ms. Dembkoski said the police have been responding to all complaints. The Chief has sent them a letter stating that they will no longer respond to hours of operation complaints because it is not the jurisdiction of the Police Department; it would be Building/Zoning. They will log them, but will send an officer.

The board received an invitation to Eagle Court of Honor for Stephen R. Sample – Sunday May 31st in Kingston NH.

FINANCE DIRECTOR’S TIME:

1. A gentlemen came to her office and would like to purchase a mobile hot dog vendor truck. The town has no policy for mobile food trucks; it falls under state law as a Hawker’s and Peddler’s license. It would require involvement from the Selectmen, BOH and Police Department. The Hawker’s and Peddler’s license requires civil fingerprinting, which the Police Department is not set up to do. We could require the Hawker’s and Peddler’s register with the state. Ms. Dembkoski will work on developing a policy if the board agrees. The gentlemen will be asked to come before the board to explain his intent.
2. She and Selectman Watson attended a regional meeting at Whittier last week which was lead by the Pentucket Regional Finance Board. There have been questions about Whittier and their policies. Whittier did not represent themselves; they had a School Committee member present and there was some misinformation. The outcome of the meeting is that they would like to establish a subcommittee with one representative from each BOS with the 14 Whittier communities to figure out what we want to see; the biggest being the regional agreement with Whittier that has not been opened in fifty years. It is not up to code, they are not meeting state law, and things are being done that are clearly in contrast to what the law requires. Whittier does not want to entertain the regional agreement. Once the subcommittee has a plan, they will attend a Whittier School Committee meeting and start looking at how we can open the agreement. It requires the majority of the Whittier School Committee to approve opening up the regional agreement; or 5% of the registered voters from any of the communities to sign a petition. The first step is to ask the School Committee. If they choose not to, they may have one of the smaller communities to sign the petition. Ms. Dembkoski does not think the Groveland representative should be appointed by the Pentucket School Committee. She feels our representative should be appointed by this board so they are representing the town and not the school’s interest; the board agreed. Selectman Watson made a motion to appoint Selectman D’Amore work on the Regional Agreement with Whittier; Selectman Wood seconded; all voted in favor; motion approved.

SELECTMEN’S TIME:

Selectman Wood asked about saving resources and money on printing and said he would use his computer rather than printing. Ms. Dembkoski said some communities have gone away from paper and now use iPads with the agenda and documents uploaded. At the end of the meeting they turn it in and do the same for the following meeting. She will email as usual, but will print copies for those who want it.

The next meeting will be held Monday, June 1st with a new start time of 6:30 p.m.

Selectman Wood made a motion to adjourn; Selectman Watson seconded the motion; all voted in favor; motion approved. The meeting was adjourned at 10:10 p.m.

***** Minutes unanimously approved on June 15, 2015 *****