

Groveland Board of Selectmen
Meeting Minutes
June 1, 2015

Present: Chair William Dunn, Selectman Joe D'Amore, 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 6:30 p.m.

RESIDENT/PUBLIC COMMENTS:

Erin Merrill (Recreation Member) wanted it known that Groveland Recreation only runs softball and basketball, not soccer and baseball as was stated at the May 18th meeting. GYS and GBL are both 501C3 state and federal compliant, and 1099s are filed according to regulations. She felt that Ms. Dembkoski and Selectman D'Amore owe an apology to GBL and GYS for insinuating that they are not federal and state compliant. GBL and GYS maintain, fertilized, irrigate, and pay for maintenance that needs to be done. Selectman Wood felt part of the confusion is whether 501C3 falls under town jurisdiction and it should be legally clarified. Ms. Dembkoski said 5013C does not fall under the town government.

APPROVAL OF WARRANTS:

Selectman D'Amore voted to approve PW#15-49 in the amount of \$838,751.14; Selectman Wood seconded; all voted in favor; warrant approved.

Selectman D'Amore voted to approve DW#15-47A in the amount of \$23,957.13; Selectman Wood seconded; all voted in favor; warrant approved.

Selectman D'Amore voted to approve BW #15-49 in the amount of \$126,951.69; Selectman Wood seconded; all voted in favor; warrant approved.

DISCUSSION AND POSSIBLE VOTE:

Chris Liquori & Cable Advisor Committee – Chair Dunn explained the problems and wants to find a solution. Mr. Liquori said the time base corrector failed and Channel 22 was going out from over-modulation. He has gotten quotes to replace the wiring and is asking the Cable Committee to move ahead with that. The cost is approximately \$10,000 to replace wiring, remove equipment not being used, and diagram it all; no town money will be used. Ms. Dembkoski said the Cable Committee is also looking into putting in smart boards and projectors in the fire station meeting room. Mr. Liquori said Veasey Park is not wired but he will look into it.

Bob Arakelian (Update on the Pines Construction) – The drainage system was finished in the spring; they are working on the underground utilities (electric, sewer, water, cable). The electric is 90% complete; sewer is complete, the water is almost complete. The boat docks will be in Friday. Hot top for the roadway will go out to bid in July. Work can only be done November 1st to March 31st due to conservation restrictions. He will work on the soccer field that has to be top dressed, reseeded and irrigated. The other two softball fields will have to be addressed. A small sedimentation pond will be designed into the plan with an overflow to an existing catch basin. An audience member said he would like to see a final plan; he has concerns about electrical connections. Chair Dunn suggested making the plan available for people to see what the end result is. Erin Merrill said she would be the liaison for information. Mr. Arakelian said the project is on a fast track pace and should be completed in the spring. Selectman Watson made a motion for Erin Merrill and Selectman Wood to work with Mr. Arakelian after

they have met with people and bring their findings to Mr. Arakelian; Selectman D'Amore made a friendly amendment that all communication flow exclusively through Selectman Wood so he is the only one speaking to Mr. Arakelian; Selectman Watson seconded the motion; voted 5-0-0.

Mike Dempsey (Discuss Veasey Park and the Veasey Park Revolving Fund) – Mr. Dempsey gave a synopsis of Veasey Park for the benefit of the new members. It is rented out for private parties for community use. There is a state designated revolving fund. The roadway up to the park and the parking lot need to be replaced; no work has ever been done; estimated cost is a capital investment that they cannot pay for. Weddings and parties with a liquor permit require a police detail. They would like the board to eliminate that for a party of 150 or less. The liquor license also requires a binder on the homeowner's insurance policy. They would like to have the town purchase a liquor liability insurance policy which will eliminate people having to pay for it. Ms. Walsh did not think the town should take on that liability. Chair Dunn suggested hiring an outside management company to promote more weddings/events. Claire Walsh (Management Committee) said in order to do these things you need to fine tune facility. There are three residential tenants. Selectman MacDonald asked why when it was purchased 20 years ago they didn't budget for replacement costs. Chair Dunn said it is a viable piece of property and we need to come up with a plan to make it work. David Capobianco said Veasey Park was purchased to be self-sustaining. Selectman MacDonald said management is needed. Mr. Dempsey said Veasey is self-sufficient, but not self-sufficient in capital improvements that need to be made. Chair Dunn asked Vanessa Lopez to have the committee prepare a package to present to Capital Improvements and when they come back before the board, they can discuss the debt service.

Selectman Watson asked Mr. Dempsey to explain the revolving fund budget he submitted. There was a projected tenant income of \$55,000 but only \$43,000+ was recorded. Mr. Dempsey said the reason was the apartment was empty for four months and had to be renovated. The facility manager was living in one of the apartments and not generating any rent. The possibility of Veasey Park paying property insurance costs was briefly discussed.

Daniel Downey (Hot Dog Cart in Town Discussion) – Not present.

Mark McCabe (Follow-Up on Campaign Finance Decision regarding the CPA Insert) – Chair Dunn spoke with Mr. McCabe who said he was not interested in coming before the board to discuss it. Selectman MacDonald read into record the letter from the Office of Campaign & Political Finance regarding Community Preservation Committee Meeting; CPF-15-23 dated May 20, 2015. Ms. Demboski said Mr. McCabe emailed her today and asked that she state on his behalf that he was more upset with the lack of voter turnout that day than he was with the results. Ms. Demboski said the board needs to clarify what can go in with the tax bill. Selectman MacDonald made a motion that the Board of Selectmen has to approve newsletters other than tax bills that go out with the tax bills; Selectman Watson seconded the motion; voted 5-0-0.

VOTES OF THE BOARD:

1. Selectman Watson made a motion to accept the May 5, 2015 Meeting Minutes; Selectman D'Amore seconded the motion; voted 4-0-1.
2. Selectman Watson made a motion to accept the Building Inspector Job Description as written; Selectman D'Amore seconded the motion; voted 5-0-0.
3. Selectman Watson made a motion to amend the Custodian/Facilities Job Description to add “/Selectman” after Supervisor: Finance Director; Selectman D'Amore seconded the motion; voted 5-0-0.

4. Board of Selectmen Meeting Minutes (online posting – prior year and current minutes) – Selectman MacDonald felt in the interest of full disclosure and transparency, the Meeting Minutes need to be put on line in a timely manner. Selectman MacDonald made a motion to post the Meeting Minutes on line and with the Town Clerk in a timely manner; Selectman Watson seconded the motion; Selectman Watson made a friendly amendment that minutes of all boards be kept with the Keeper of Records; Selectman MacDonald seconded; voted 5-0-0.

NEW AND OLD BUSINESS:

Chair Dunn would like FinCom to come before the board at the next meeting.

Selectman D'Amore would like to ask the gentlemen from Whitestone Village if he would come in for an update regarding the dirt bike activity, or have one of the members visit and report back. Selectman Watson made a motion to send a letter; Selectman MacDonald seconded the motion; voted 5-0-0.

Selectman D'Amore met with John Ratka, Executive Director of the Veterans Northeast Outreach Center in Haverhill. He is interested in talking to the board. The fastest growing segment is affordable housing for veterans and their families. Bob Guptill (Affordable Housing Committee) said Mr. Ratka should talk to them before coming to the BOS because the BOS would be taking on the role of the AHC. Chair Dunn said Mr. Guptill, Selectman D'Amore and Mr. Ratka could meet. Selectman MacDonald made a motion that we invite Mr. Ratka to come before the board to discuss what he has on his mind; Chair Dunn made a friendly amendment that we have Mr. Guptill present with the other AHC members in the meeting as well; Selectman MacDonald accepted the friendly amendment; Selectman Wood seconded the motion; voted 5-0-0.

Selectman D'Amore asked the board to discuss the financial management of the Recreation and Youth; how it currently structured; and discuss the areas of non-compliance with the state. The management letter from the auditors specifically mentioned that we are in deficit and it is the flow of money that needs to be looked at. Chair Dunn said it will be complicated because there are personal feelings involved and wants only one person from each group to meet with the board first so there is not a mob of people. Selectman D'Amore agreed and wants to collect facts first; make no decision; understand what our concerns are, what the management letter what the auditors are saying, and figure it out. Ms. Demboski said it is only the Recreation Committee that is under our Tax ID number. Chair Dunn said the next agenda will include discussion of the findings of the audit if time allows. Steve Merrill said the BOS talked about having them on this agenda and it did not happen. He feels more people are better than just one representative. Selectman D'Amore said his understanding is the Recreation, and not the Youth Leagues, but wants to make sure we are not missing anything. Proposals can be discussed. The board will have a conversation and bring them in later for discussion.

Selectman D'Amore wants to bring two policies forward: (1) a liaison policy (which will be on the next agenda); and (2) a policy that information requested from an employee by a board member go through the Chairman. He would like the draft policies reviewed at next meeting. Chair Dunn does not want to tell other boards that they have to go before the Chairman. Selectman MacDonald does not want go through the Chairman and said the policy should be to go to the Department Head and request the information; Selectman Watson agreed.

Selectman Watson wants the Administrative Assistant draft job description approved tonight and it be posted to have someone in place by July 1st. Selectman MacDonald read the part of the description where the supervision is under the general supervision of the Finance Director. He thinks there should be an Administrative Assistant to the BOS. He would like to make an amendment to it that this person would be supervised by the BOS and the BOS give the tasks. Ms. Demboski said part of her renegotiated contract is that she will continue to do the agenda, appear at these meetings on behalf of the board, and

oversee the agenda items. There is nothing working for the Finance Department other than assisting with duties that the board has given her (licensing; permitting; the annual town report was given to the town clerk; she pays the bills for the Selectmen's office. This person could assist with them. Questions would still be answered, but we need help with the calendar, field use permits, updating the website, updating the message boards; all of those tasks need to fall under somebody, putting the minutes on line. This person would not be an assistant to Ms. Dembkoski; he/she would be a general Administrative Assistant. Selectman MacDonald would like it to say "work under the general supervision". Ms. Dembkoski said we are looking for a general Administrative Assistant. Selectman MacDonald made a motion to modify to the job description to read "work under the general supervision of the Board of Selectmen and the Finance Director or his or her designee"; Selectman Watson seconded the motion; voted 5-0-0. Ms. Dembkoski said the title is only an administrative assistant; it is working where needed under the office of the BOS; there is no title. Selectman Watson made a motion to approve the Administrative Assistant job description as amended (Administrative Assistant/Finance/Selectmen); Chair Dunn seconded the motion; voted 5-0-0.

CORRESPONDENCE:

Campaign and Finance Letter regarding the CPA Mailing – Discussed earlier.

Disclosure Statement pursuant to M.G.L. c7C §38 regarding the town's acquisition of property from William P. Angelini, Jr. – Informational.

Letter sent to Albertino Bernardo with the Findings from the Dog Hearing on May 18, 2015 – Not discussed.

Revolving Account Reports: Boat Ramp and Summer Recreation Program – Selectman MacDonald had a question regarding the snow deficit (where it came from and what is in the account). Ms. Dembkoski said what he asked for at the last meeting was information on the Boat Ramp and Summer Recreation program. She provided a printout of the Boat Ramp Revolving Account showing what is in it and what is expended; currently there is \$30,000 (which will cover a very small portion of the boat ramp project). The boat ramp does take in money each year; mooring and ramp permit stickers are sold. Ms. Dembkoski provided the detail of the Bagnall Summer Recreation Program Revolving Account; in 2014, 270 students participated in the program. Last fiscal year we took in \$184,000 and spent \$122,000; town meeting approves \$115,000. Last year they asked for an additional \$15,000 spending capacity. She said the town voted it very clear that it is to be spent on wages and expenses with the Summer Program only. We make more money than we can spend with this account and need to find a way to close that gap. She met with the Director and said we need to find a way to either refund parents who have paid into the program, or offer scholarships; reducing fees will not take care of it. She said we should be calculating the utilities they use at Bagnall; the cost of the custodian fees; and the program should be charged for those fees, but has not been. Selectman MacDonald asked if it was possible to negotiate with the district to use those funds for the fields. Ms. Dembkoski said it is parents paying for summer camp, they are not paying for youth soccer to play September through June; they are paying for seven weeks of a program. She believes we should know the true cost of that program. Last year they spent \$85,000 in salaries and \$30,000 in expenses.

Administrative Assistant Draft Job Description – Discussed earlier.

May 18, 2015 Meeting Minutes

FINANCE DIRECTOR'S TIME:

1. Center Street Committee – Alex Johnson asked Ms. Dembkoski if the board was interested in putting together a Center Street Committee. He is going to come before the board on June 29th to discuss the previous board, the committee, and how many members there should be. If the board does agree to move forward, he will come back in September with the make-up of the committee to have it appointed.
2. The prior board placed a moratorium on the usage of Strawberry Fields. When the property was purchased, it was decided to lock the gate and not allow any groups to use the field. There was also an agreement with Mr. Angelini that he could remove earth off the property for five years; the access is through the gate closest to the nearest business on Center Street. Ms. Dembkoski received a request from the Astronomy Club (who used it last year) asking if they could use it again. Selectman D'Amore would be in favor. Ms. Dembkoski said they will clean up the property as well. Bill O'Neill represents football and said they have been using the fields with consent for a number of years and needs to know if they can continue to use the fields or if they have to find another place to practice football. Ms. Dembkoski said Mr. Angelini would need to be contacted. Mr. Dempsey said Conservation and Water met with Mr. Angelini today and he is planning to start the gravel removal as soon as possible; the hours of operation are 7:30 AM to 5:30 PM. Selectman D'Amore said if we decide to make a modification to lift the moratorium, we can make it a requirement on the permit that the hours for use be when the gravel operation is shut down. Mr. Dempsey said himself and Mr. Arakelian will be meeting with Mr. Angelini within the next few weeks to work out details. It will be on the next agenda for discussion.
3. Shanahan Field Bathrooms – It went out to bid; very little interest. Only one bid was received and it came in \$20,000 over budget. She talked to Mike Dempsey and Steve Merrill. They are looking at green alternatives. When specs are received, it will be put out to bid again because it is publicly procured. The greenhouse company providing the specs said it is a self-sustaining system, but it will still have flushing toilets and is septic system based. The Health Inspector has no problem, but the Building Inspector wanted to know if the board will waive the fee for the permit. Ms. Dembkoski said it is a town project; yes it will be waived.
4. Update on Unpaid Taxes – Ms. Dembkoski found out that what the town owned, tax liens were placed, but not removed off the outstanding list (\$284,000; \$487,000 total with demands and interest). She did the tax title accounts; true accounts that had legal liens placed on them, advertised, and a title was placed in accordance with the law, but were not placed into tax title in the accounting system. Free cash was hit, but should not have been. They have all been placed into tax title; we have valid tax title balances (one of the items on the audit report was that the tax title balance had not changed in six consecutive years).

She sent a memo to the Board of Assessors with the list of the properties that are town-owned which total \$21,000. The Board of Assessors will approve the list, review them as being town-owned and will immediately take them off the outstanding list. Together with the tax title and town-owned property, the total tax outstanding is \$123,000. It is a true report prior to FY15. There are no legal payment plans and no provisions available for hardships. Chair Dunn said the biggest offender is the contaminated building on Washington Street. Ms. Dembkoski said we don't need to foreclose on it; there is a tax title placed on it. Selectman MacDonald asked if the company is still solvent and to ask Town Counsel how to pursue it outside of foreclosure. Ms. Dembkoski will contact Town Counsel. The Board of Assessors will be meeting Friday to review her memo and vote on it; it will clear up all outstanding taxes through 2011.

5. Selectman MacDonald asked about the snow and ice account. Ms. Dembkoski said it was funded at a special town meeting through a health insurance reimbursement account. It was money that should have gone to the General Fund or paid insurance premiums, but was put into a separate account. It

was one of the accounts the auditors said to close because it is an illegal account and we are putting money in it and spending outside of town meeting appropriation. He asked for all the accounts and was told one report cannot be run; we have limited software. He is looking for a balance sheet and income statement. He was told we are a municipality and we don't do income statements and balance sheets. There is no report that can be generated to show how much we have in cash, receivables, fixtures and depreciable items, and what we have for payables, short-term debt, and long-term debt; it would have to be compiled manually. Chair Dunn asked that everyone be patient; she has a job to do; she will get back to them.

SELECTMEN'S TIME:

Selectman D'Amore said the MMA is not in favor of the pending legislation of upgrading the public records law and felt it would be a good idea for the board to send a letter to our legislative delegation that we are in favor of transparency and openness in government and the liberalization of public records access for the public. He will bring the information to the next meeting.

Selectman Watson said he and Selectman D'Amore attended the Memorial Day service. The flags on the town buildings were never lowered and felt it should be addressed. Chair Dunn said he called the Police Department and asked them to send someone over to lower the flags to half-mast because the Governor had ordered it. Ms. Dembkoski said emails are generated by the Governor's Office but does not know who had received them in the past years, but it was not her. She is now on the list to receive notification. Selectman Watson said Memorial Day is one of three days that the flags are lowered to half-mast; it should be standard procedure.

Selectman MacDonald said because he has been appointed to certain boards (CPC and Finance Committee), he contacted the State Ethics Commission for guidance because he works with Michelle O'Keefe who is a CPA and his employee and who is also on the Finance Committee. He was told to file Form 23B. He will also list Mark McCabe from the ZBA because he cuts his grass. Selectman D'Amore supports Selectman MacDonald's nominations and votes he made, and asked to receive copies of what he filed with the State Ethics Committee.

After reading the handbook, Selectman MacDonald would be in favor of the Chairman being able to have the same rights as the other members of the board and make motions. He is not in favor, however, of doing away with seconds on motions. It will be added to the agenda for discussion and possible vote.

Selectman MacDonald talked with Nancy Lewandowski about her continuing in the position of the Administrative Assistant because of her vast knowledge and experience. Ms. Dembkoski said she is limited to what she can earn. Chair Dunn says there is nothing we can do until January 1st and clarified that we are hiring a new person and not going to negotiate with someone else.

The next meeting will be held Monday, June 15th at 6:30 p.m.

Selectman Watson made a motion to adjourn; Selectman Wood seconded the motion; voted 5-0-0. The meeting was adjourned at 10:51 p.m.

*** Unanimously approved on June 29, 2015 ***