

Groveland Board of Selectmen
Meeting Minutes
October 5, 2015

Present: Chair William Dunn, Selectman Daniel MacDonald, Selectman Ed Watson, Selectman Michael Wood

Absent: Selectman Joe D'Amore

Others Present: Denise Dembkoski (Finance Director)

Recorder: Melanie Rich

The meeting was called to order at 6:30 p.m.

RESIDENT/PUBLIC COMMENTS:

Kathleen Prunier (7 Harvard Road) said at the last meeting it was said that the Housing Authority paid nothing and received no services from the town; that is not correct; every year they pay a PILOT payment (this year \$17,665.32). In return, the town plows and sands the roads at River Pines and the Police patrol and assist with lockouts. She also said that Detective James Morton was able to recover restitution regarding the library; they are very grateful for that.

APPROVAL OF WARRANTS:

Selectman Wood voted to approve PW#16-15 in the amount of \$133,308.86; Selectman Watson seconded; all voted in favor; warrant approved.

Selectman Wood voted to approve DW#16-13A in the amount of \$25,210.08 Selectman Watson seconded; all voted in favor; warrant approved.

Selectman Wood voted to approve BW#16-15 in the amount of \$437,972.15; Selectman Watson seconded; all voted in favor; warrant approved.

APPOINTMENTS:

Fire Chief Robert Lay introduced and gave a brief background on each of the new Firefighters. Selectman Watson made a motion to appoint Jennifer Hicks, Patrick Pennie, Phil Gray, Cliff Poth, and Chris Bosch to the position of Firefighters through June 30, 2106; Selectman MacDonald seconded; voted 4-0-0.

Selectman Watson made a motion to appoint Father Delaney as the Police Department Chaplin; Selectman Wood seconded; voted 4-0-0.

Dep. Chief Gillen said the Vehicle Night was a success; the next event coming up is the Senior Dinner October 21st from 5PM-7PM at the Bagnall School. He also spoke on the bank robbery and said Detectives Steven Petrone and Heather Riley tracked the suspect to Portsmouth NH, arrested him, and he has been charged with the bank robbery.

DISCUSSION AND POSSIBLE VOTE:

Pentucket Regional School Committee (Groveland Representatives) – Jack Willett (111 School Street) said the year opened well; they were host to the Essex County Response Team; and they are number one in MA for having innovative schools. The fields are done; the building project has taken a step forward; the state will be touring the school on October 24th. Selectman Watson asked about user fees for the athletes. Mr. Willett said user fees were cut in half; there are no bus fees; the full committee will have final say on user fees. Chair Dunn said if they are using the fields behind the schools and we are maintaining them, he does not think they should be getting user fees. Lisa O'Connor (26 Byfield Road) said that would be field usage

fees; two different items; there is a draft proposal before the Committee to discuss field usage fees. Selectman MacDonald asked what the purpose is because they reduced some fees and trying to charge for others. Mr. Willett said the policy had not been looked at. He said they are trying to break even; not make a profit. Chair Dunn asked to meet with them once they receive their report. Mr. Willett said the Regional Agreement requires it go before all Selectmen. Selectman MacDonald feels it is not right to put the cost on certain groups; he is not against exploring revenue increases, but said it seems like a cost shift. He asked for an explanation of the formula and why there was an extra \$200,000 in the FY15 budget. Mr. Willett said it was a shortfall in local aid; they cut half way through the year and they had to absorb it. Selectman Watson toured the fields with Mr. Willett and said that he reviews expenses line by line and feels we have the right person there.

Meeting to discuss Lower Center Street with Conservation Commission, Fire Chief, Sample Family and Neighbors – Mike Dempsey said the Commission is in charge of a certain amount of acreage on Center Street along with the Haverhill Water Department and Essex County Greenbelt. The Commission has done its best to protect and improve the area. The goal for their property is to allow people to use it as passive recreation. Launching car top boats is allowed, but people do bring in big boats causing problems along the shore. The Fire Department recommended the grills be removed. Selectman Watson wants the board to look into taking the property because every time there is a problem it is kicked back to the board. Selectman MacDonald doesn't see the grills as a fire risk and said the real risk and impact on the environment would be prohibiting the use the hibachis. Chair Dunn wants to see a facility we can use. Selectman Wood said Lower Center Street is a conservation site; the Pines and Veasey Park are recreation sites; we don't want to take it away; we want it to be protected the way it was ordered to be protected.

Fire Chief Lay said that nothing has been taken away; the Conservation Commission does not own jurisdiction on hibachis; that is the Fire Department. The interpretation of the fire code is that it is a high fire hazard. Chief Lay's decision is that there are no fires there and the pits are coming out of the Pines. Fire pits or hibachis are not allowed without permission and he will not allow them. Veasey Park is different; it has an attendant and it meets the fire code. He doesn't make the laws; doesn't make the rules, but is delegated by the State Fire Marshal and State Forest Warden to take care of it, and that is what he does. There is no discussion; no compromising; his role is fire prevention. Selectman MacDonald asked if there is a legal way to have a cooking device there; yes. Chief Lay read from the code and said he has the authority to prohibit any and all open flames, candles and open recreational and cooking fires or other sources of ignition per established special regulations on the use of any form of fire or smoking materials where circumstances make such conditions hazardous. He will create and establish special regulations; he will write the rules. Chair Dunn asked that he not make the parameters impossible. Dr. Jim Manganiello (2 Center Street) said the area is under an Order of Conditions (March 2010) and the town is under a legal obligation to comply with the maintenance plan. Mike McClelland (48R Center Street) said the Chapter 91 Water Permitting Guide applies to existing activities as well as new projects, placement, construction or alteration of any structure regardless of what size whether permanent or seasonal; the alteration that took place was illegal. Stan Sample (40 Center Street) said they obtained permitting with the town but unaware that they had to go before the Fire Chief for a permit to put in the grills in. He said people have permission to go through his land but there is a group of Lower Center Street residents that want to keep the property for their own personal use; they told him he doesn't own the pond, they do. Chair Dunn is hopeful that a resolution can be found.

Groveland Rec to discuss Softball Fields at the Pines – Dan Stewart (Groveland Recreation Committee/Groveland Youth Softball Director) was asked two weeks ago to get prices to finish the second softball field. At the last meeting it was said there is no money left for the two softball fields, restroom and tennis courts that were proposed. He wanted to know why there is no money left and why a boat ramp is being put in before the second softball field; who changed the scope of the work; did the town vote on it? Ms. Demboski provided the board with copies of the Pines Recreation Committee Meeting Minutes going back to May 24, 2010. The minutes reflect that plans for the Pines that included the boat ramp were done

in December 2010 (3 years prior to the future expansion of the Pines which included the fields). Bill Darke, Bette Gorski, Don Greaney, Bob Arakelian, Pam Blaquiere and Greg Labrecque were in attendance at 90% of meetings; the boat ramp was discussed numerous times; they hired engineers; looked at plans; there were votes in the minutes; all of the minutes were taken from the Town Clerk. Ms. Dembkoski said prior to her arrival \$39,000 had been spent in engineering fees to construct the boat ramp plans; the NOI was filed with DEP to upgrade the boat ramp in February 2011; Water Quality Reports were filed on October 15, 2012; authorization from the Army Corps of Engineers was received on July 23, 2013; Conservation permits were issued several times throughout the last 4 years, and when she began in March 2014 she was told by the then BOS that it was a top priority to get this boat ramp out before the permits expired. Mr. Stewart said the total estimated cost to finish the two fields is \$139,500 (Prescription Turf Services will build the softball field using the current loam pile plus an additional 200 yards of loam, level it, seed it, fertilize it, put the infield in and the irrigation company will do the piping for \$62,500; the well is \$15,000; the sprinkler is \$40,000; Groveland Fence is \$22,000). Bob Arakelian said the boat ramp was priority; the fields were never a priority; it was a master plan of what can be done there and not meant to be done right away. \$57,000 was spent on engineering for permitting for the boat ramp; \$270,000 is left in the budget. The approximate total cost for the boat ramp is \$160,000; \$30,000 will be coming out of the boat ramp revolving account; \$130,000 would come out of the remaining \$270,000. Selectman MacDonald suggested using CPA funds for the boat ramp and the fields. The window to put the boat ramp in the water is November 1st to April 1st. Selectman Wood agreed with Selectman MacDonald's position but not sure if CPA funds can be used for the boat ramp and if we can get CPA funds through a special town warrant. Ms. Dembkoski said an article can be added to a special town warrant pending their Committee meeting voting and approving it; it can be pulled the night of town meeting if they didn't have time to meet or it is not approved. She suggested they look at combining something else because there will be nothing left in the Pines account for maintenance, utilities, etc. Selectman MacDonald made a motion to add an article to the Special Town Meeting warrant in October to appropriate up to \$360,000 for the completion of the Pines recreation project (boat ramp, utility field, one additional softball field and two tennis courts); Chair Dunn seconded; voted 4-0-0.

Town Owned Property Discussion – Properties that could possibly be sold for revenue were discussed. Ms. Dembkoski will provide more detail and an approximate cost to research at the next meeting. There is an issue with the old highway garage property; a resident said he owns part of that property; we would have to hire a surveyor and a title examiner to see who owns it. 8 Dana Drive has been an ongoing issue for years. She was notified by a neighbor who said he bid on the property, was awarded the bid, but the town never turned over ownership. She spoke with the attorney who said it was never legally foreclosed on; the town never had ownership; it should never have been put out to bid. He is continuing to research the property; she has checked with him periodically over the past 18 months; he has no new information.

Review and Vote on Special Town Meeting – The articles were reviewed. Selectman Wood made a motion to approve the warrant as amended with tonight's votes; Selectman Watson seconded; voted 4-0-0.

VOTES OF THE BOARD:

Selectman Watson made a motion to accept the September 8, 2015 Meeting Minutes; Selectman Wood seconded; voted 4-0-0.

Selectman Watson made a motion to accept the September 8, 2015 Executive Session Meeting Minutes; Select Wood seconded; voted 3-0-1; Selectman MacDonald abstained.

Chair Dunn made a motion to accept the resignation of Greg Meehan from the Recreation Committee effective July 19, 2015; Selectman Wood seconded; voted 4-0-0.

OLD BUSINESS (Unfinished Business) – Nothing tonight.

Chair Dunn said if the article passes at town meeting that he would like to head up the committee to consist of people from the Summer Program; Bagnall School, the Road Commissioner, himself, and residents to discuss what to do with the back fields; he is asking for permission to do that; the members were fine. Ms. Dembkoski recommended including a School Committee member as well.

CORRESPONDENCE TO BE REVIEWED:

1. Minutes from September 21st.
2. 2014 Water Fluoridation Quality Award from the Centers for Disease Control and Prevention.
3. Email from Sandra Breines about the Pines.
4. Email from Doug Demers about the Pines.
5. Email from Robert Raimondi about the Boat Ramp.

FINANCE DIRECTOR'S TIME

Ms. Dembkoski said the two Highway Department mowers for surplus are on a municipal auction site and currently have a bid of \$1,645 total.

The tax title properties are scheduled to be advertised Friday; there are 45 properties; she will send a copy to the board.

Police Department Firing Range Proposal Update – At a cost of under \$3,000 it can be fully functional. Phase 2 would be for additional fencing and shelter. Funding is needed. Selectman MacDonald made a motion to transfer up to \$3,000 from the Legal Account to the Police Department for the sole purpose of the firing range; Selectman Watson seconded; voted 4-0-0. It will be added to the Special Town Meeting Warrant.

SELECTMEN'S TIME:

Selectman Watson asked for quarterly updates on employees' vacation and sick time and asked if it was listed on the check; no. Ms. Dembkoski said the payroll system currently used is outdated. She has asked the potential new company to price that out.

Selectman MacDonald asked what the town's policy concerning coyotes is (the season is from October 7 through March 8th). Ms. Dembkoski spoke with the Chief who said he could reach out to the Environmental Police if he thought it was a bigger issue; it is not something the animal control officer handles. The Chief will do more research and get back to her.

Selectman MacDonald said people have called him regarding accounting issues. He asked when the BOS approves the warrant, do we know if it is going to exceed the budget. Ms. Dembkoski said the Town Accountant will highlight the majority of overspending. He wants to make sure overspending does not happen again as it did with the Bagnall Summer Program. She said all parties involved with that specific account are now aware of the spending limit; the Town Accountant will track it along with the three other revolving accounts. He said the town can request a financial management review from DOR; she will see if there is a cost. She also said our software is our biggest limitation and is looking at upgrading some features; but as far as the financial software, there is usually a larger investment up front and a maintenance cost; we would have to work with capital improvements for funds, but the town should have the functionality to print the reports we need.

Chair Dunn said Ms. Murphy received a call from the Merrimack Girl Scouts who wanted to be part of the Pumpkin Fest; he had her distribute flyers at the Bagnall School.

Groveland Board of Selectmen Meeting – October 5, 2015

The next meeting will be held Monday, October 19th at 6:30 p.m.

Chair Dunn made a motion to adjourn; Selectman Wood seconded; voted 4-0-0. The meeting was adjourned at 10:05 p.m.

*** Approved on November 2, 2015 with a 4-0-1 vote. ***