

Groveland Board of Selectmen
Meeting Minutes
November 2, 2015

Present: Chair William Dunn, Selectman Michael Wood, Selectman Joe D'Amore, Selectman Ed Watson, Selectman MacDonald arrived at 6:38 P.M.

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:

Mike Dempsey reminded residents and friends of Veasey Park that on Saturday from 6PM-9PM they will be holding the 10th annual Wine & Art Festival; tickets are still available online at VeaseyPark.org.

Tracy Gilford (on behalf of the Veto Committee) said Doug Mund contacted him today; an email was received and forwarded to the board. Mr. Gilford also asked that the employee recognition program he previously suggested be put on the agenda for discussion.

APPROVAL OF WARRANTS:

Selectman Wood voted to approve PW#16-19 in the amount of \$134,462.27; Selectman Watson seconded; all voted in favor; warrant approved.

Selectman Wood voted to approve DW#16-17A in the amount of \$28,004.86 Selectman Watson seconded; all voted in favor; warrant approved.

Selectman Wood voted to approve BW#16-19 in the amount of \$901,070.30; Selectman Watson seconded; all voted in favor; warrant approved.

APPOINTMENTS:

Selectman D'Amore made a motion to accept the recommendation of the Board of Library Trustees and to jointly appoint Jay Collins to fill the Board of Library Trustee vacancy effective October 19, 2015; voted 10-0-0. Present and voting for the Library were Chair Elizabeth Burton, Vice-Chair Ann McCann, and Trustees Charles Herman, Barbara Gauvin, Kathleen Prunier, and Laurel Pulchalski,

Selectman Wood made a motion to accept the recommendation of the Board of Library Trustees and to jointly appoint Christopher Shramko to fill the Board of Library Trustee vacancy effective October 19, 2015; voted 10-0-0. Present and voting for the Library were Chair Elizabeth Burton, Vice-Chair Ann McCann, and Trustees Charles Herman, Barbara Gauvin, Kathleen Prunier, and Laurel Pulchalski, Kathleen Prunier.

Selectman D'Amore made a motion to appoint Jennifer Close to fill the Board of Registrar vacancy through June 30, 2016; voted 4-0-0.

A motion was made to appoint Doug Demers to fill the vacant seat on the Recreation Committee through June 30, 2016; voted 4-0-0.

Selectman Wood commented on the library appointments. Elizabeth Burton (Library Trustee Chair) said only 4 people resigned and 4 people have been appointed. Selectman Wood asked if everything was now in place; Ms. Burton said that is the hope. They are in the process of hiring an Interim Director and will continue to search for a full Library Director. Selectman D'Amore asked the consortium status. Ms. Burton

said they would not know until January. They lost state aid; it was an unusual situation because it was for lack of spending (19.5% of the total budget had to be spent; they did not meet that). They will be represented at the MA Library Board of Commissioners with either a Trustee or the Interim Director.

DISCUSSION AND POSSIBLE VOTE:

Sam Joslin (Building Inspector) was present to discuss the structure on Holly Lane that Selectmen D'Amore and Watson asked him to look at on October 23rd. The biggest concern was the in-ground pool. The bottom is cracked and broken; it does not hold a significant amount of water, but could possibly with a high water table; there are large chunks of concrete; it is creating an attractive nuisance for the kids in the neighborhood; there is concern that they will end up on the bottom and not be able to get out. He contacted the management company (Safeguard). The mortgage company said at this time the client is not able to fulfill the request (referring to Building Inspector's letter ordering them to secure the pool). They cannot and will not do that because the mortgage company is still dealing with the individuals that defaulted; the security company can only do basics and will not deal with the pool; it's more than their purview. Under MGL 143, Section 7, Mr. Joslin is asking the BOS to order him to fill the pool. He would then direct the Highway Department to fill it in and grade it; the bill would be submitted and a lien placed on the property. Otherwise we are left with this danger in the neighborhood. Selectman D'Amore commended him for the work he did. Selectman D'Amore made a motion to support the Building Inspector's recommendation to direct him through the Highway Department to do the work of securing the pool by filling it in with the appropriate material; Selectman Watson seconded; voted 5-0-0. The Building Inspector will inform the management company and have them forward it to the mortgage company.

Patricia Garzone (to discuss removal of grills at Lower Center Street) – Ms. Garzone was here on behalf of Jason Sample's Eagle Scout project. The grills were removed per order of the Conservation Commission. She felt it was done with little or no regard for the time and effort that it takes to complete an Eagle Scout project. She said Fire Code 527 CMR Board of the Fire Prevention Regulations states "persons 18 years of age or older without a permit may set and maintain an increase a reasonable fire for the purpose of cooking upon sandy or gravel land free of living or dead vegetation or upon sandy or rocky beaches bordering tide water if the fire is enclosed within rock, metal or noncombustible material." They are asking that the grills be put back where they belong or show them proof of just cause of such violation to justify removal. Lieutenant Allen Credit spoke on behalf of the Fire Chief. He said the Code she was referring to is no longer in effect in MA as of January 2015. He is discussing what can be done moving forward with the Essex County Fire Prevention Association. He said they can't permit that area; possibly the BOS and Conservation Commission (if they vote to allow cooking) can come up with a way to manage it. Lt. Credit said they have identified it as a high fire area; they don't want any fires; he would like to see the sign updated to include no smoking. Selectman Watson asked how many times they have been there in the past 7 years; he did not know; Ms. Garzone and Selectman Watson said they will review the call logs. Selectman MacDonald said there was no risk assessment conducted by the fire department and thinks it's debatable if it's high hazard or not. Chair Dunn suggested putting pea stone down; Lt. Credit is concerned about embers getting in the trees and taking the whole side of the road down. Michael McCullen (48R Center Street) said at the last meeting it was left that the Fire Chief was to come back with conditions. Chair Dunn said the Chief will come back with reasonable requirements. Selectman D'Amore made a motion to authorize the Highway Department to restore the grills subject to three conditions: (1) subsequent independent approval to restore the grills is made by the Conservation Commission; (2) a permitting process is approved by the Board of Selectmen; and (3) a safety plan approved by the Fire Chief. Chair Dunn did not agree with the motion. Selectman Watson agreed with the motion except for the three conditions. He said the BOS should take a stand and order the grills be put back in; in 7.5 years there has not be a problem. Selectman MacDonald agrees with Selectman Watson. Selectman Wood liked the motion for the fact that all three players can't point fingers later; they are all involved. Selectman D'Amore said we have three authorities with overlapping jurisdiction and feels it is dangerous for the BOS to go on their own and make the decision. Selectman Watson made an amendment to the motion to remove the three conditions; Selectman D'Amore

did not accept the amendment. He asked Mike Dempsey his opinion. Mr. Dempsey said the board would have to force the Conservation Commission to put the grills back if the Commission voted not to put them back because they have care, control and custody of that property; the board would have to become the Conservation Commission. He said it is the third time trying to solve this problem; the people refuse to accept what the Fire Chief, the Commission, and the BOS say. He is asking the board not to vote on anything tonight until some of the people speak with the Commission who has control of it. Chair Dunn said the people are here because they haven't gotten the answer they want; they don't feel they have been treated fairly; if someone told them that the grills were coming out, he doesn't think they would be here; Selectman MacDonald agreed. He said put the grills back and let the public debate it. Selectman MacDonald made a motion that the grills get put back and we take the next step. Selectman D'Amore said the grills were taken out because we have a strong chief law; we have a set of laws we have never experienced; things can happen without meetings or discussions; that needs to be addressed at some point. Selectman Watson agrees with Selectman MacDonald; he will not support Selectman D'Amore's motion because of the three conditions. Selectman Watson made a motion to have the grills put in without the three conditions of Selectman D'Amore's motion; Selectman MacDonald seconded. Selectman D'Amore withdrew his motion. Selectman Watson seconded Selectman MacDonald's motion. Regardless of what the BOS votes, the Conservation Commission has jurisdiction. Chair Dunn made a friendly amendment to Selectman MacDonald and Selectman Watson's motion that the grills be put back and the Conservation Commission, Fire Department and neighbors get together to discuss what needs to be done to keep the groves there. Ms. Garzone said it keeps going back and forth; nobody wants to take responsibility; they would have spoken with the Commission if they were informed it was happening; they were never informed; they found out through hearsay and on TV. Chair Dunn withdrew his amendment. Voted Selectman D'Amore no; Selectman Wood no, Chair Dunn no; Selectman Watson yes; Selectman MacDonald yes. Selectman D'Amore made a motion to authorize the Highway Department to restore the grills subject to two conditions: (1) a permitting process is approved by the Board of Selectmen; and (2) subsequent to an independent approval to restore the grills by the Conservation Commission. Selectman D'Amore said he will work with the members to come up with ideas of what the permitting will look like. Chair Dunn said we could meet with the Fire Department and Conservation Commission. Selectman D'Amore said he will attend the Conservation meeting. Chair Dunn made a friendly amendment that we let the Boy Scouts and the residents have input; Selectman D'Amore accepted the friendly amendment; Selectman MacDonald made a friendly amendment to say "permit and/or rules and regulations"; Selectman D'Amore accepted the friendly amendment; Chair Dunn seconded; voted 5-0-0.

Update on the Comprehensive Permit Book – Chair Dunn said boards provided input; minor changes will be made and the book should be completed within a month.

VOTES OF THE BOARD:

Selectman Watson made a motion to approve the October 5, 2015 Meeting Minutes; Selectman MacDonald seconded; voted 4-0-1. Selectman D'Amore abstained.

Selectman Wood made a motion to approve the September 15, 2015 Executive Session Meeting Minutes. These minutes will not be released publicly until the board or Chair determines that the subject matter of that meeting to be resolved; Selectman Watson seconded; voted 5-0-0.

DEP Request for Access to Town Properties – There are sites that need to be monitored; an agreement is needed to access the properties; it has been reviewed by Town Counsel and requires the board's signature. It is for the state to access the Center Street property to monitor the wells. Chair Dunn made a motion to sign the agreement to allow the state to access the Center Street property to monitor the wells; Selectman Watson seconded; voted 5-0-0.

Chair Dunn made a motion to accept the resignation of Mike Wood as a Zoning Board of Appeals alternate member; Selectman Watson seconded; voted 4-0-1. Selectman Wood abstained.

OLD BUSINESS (Unfinished Business):

Selectman Watson asked about the Police Department's ability to train for Narcan use. Ms. Dembkoski said they are working on funding and how they can purchase it; Narcan has a shelf life of one year; it has to be bought every year and money has to be committed to it. Chair Dunn said the Fire Department does have it, but the Police Department are the first responders. He would like a report from the Chief. Selectman Watson asked if we could get statistics on how many overdoses the Police and Fire Department have responded to. Ms. Dembkoski will follow-up.

Selectman D'Amore asked Selectman MacDonald if he was interested in town owned property to develop or sell. Selectman MacDonald said we voted to get three brokers to do a market analysis of the town owned property of Salem Street. He is in favor of looking at Center Street because it is industrial zoned; he would like the BOS to have jurisdiction and have the board come up with a plan to lease or sell the property; most of the work is done (engineering, wetlands delineation, etc.). He also suggested re-bonding a portion for conservation land; CPA funds could be used to service it, resulting in savings for the taxpayers. He said we should carve off what could be developed and used for sale or lease before turning it over to a committee. The board agreed to have Selectman MacDonald meet with Mike Dempsey to review plans to see what can be done.

Selectman MacDonald asked the status on the Zoning Bylaw draft. Ms. Dembkoski said Town Counsel and the Planning Board are working together. There is an issue with the Floodplain Bylaw; Town Counsel will meet with the Planning Board Chair to consult on it; once advice is received the draft will be forwarded.

Selectman MacDonald would like residents to inform the Police Department of coyote sightings; it is a problem and people need to be aware.

Chair Dunn said thanked the sponsors and all involved in the Pumpkin Fest; there were 75 pumpkins; Ms. Dembkoski said it generated a lot of enthusiasm and people are already planning for next year. He asked the status of the Harbormaster and the committee that was talked about months ago; we never heard back. Ms. Dembkoski talked with the Police Chief and the Harbormaster; they discussed winter, permitting and moorings and decided to wait until the boating season was over to start working on new regulations for the spring. He would like answers sooner than later on that. He would also like information on Cable Committee and their meeting. He talked to Ms. Dembkoski about the concrete ramps. She said the precast concrete planks have been out to bid; bids are due Wednesday morning. Veasey Park windows and door replacements are currently out to bid; bids are due on the 18th. The new equipment will be in soon at Washington Park. The swing set is junk, but the play equipment is not in bad shape; it needs new wood and a coat of paint. He is asking the board for a consensus to move it to the corner of Seven Star Road to a small park that was donated years ago that had no equipment. If not, store it at the Highway Garage rather than throw it away. The board agreed and Ms. Dembkoski will inform the Highway Department. Chair Dunn said money was appropriated at the Special Town Meeting to take care of the boat ramp and the park and asked for a consensus of the board to use money only for the maintenance of that project; Ms. Dembkoski said that was decided at the Special Town Meeting. Future forecasting is needed on how to maintain the fields, parks, etc. Chair Dunn would like the Capital Improvements Committee to attend the next meeting.

Chair Dunn met with the Fire Chief; the new truck cost is \$793,000; it will be built to their standards and specifications; it will arrive in June; there is a thirty year lease. The old truck can be sold by the town. Ms. Dembkoski clarified that the truck has not been purchased yet. FEMA denied federal grant money. Selectman D'Amore asked how we are going to pay for it without federal grant money. Ms. Dembkoski

said the company offers financing. Chair Dunn said the new doors were approved to put on the garage and to have the masonry work done above to get the new vehicle in. We no longer have to spend that money on the masonry work since the truck is being built to their specifications.

CORRESPONDENCE TO BE REVIEWED:

1. Minutes from October 19, 2015.
2. Policy and Procedures for Health Insurance under the Federal Affordable Care Act.
3. Water quality monitoring and distribution flushing systems information from Selectman MacDonald.

FINANCE DIRECTOR'S TIME

Ms. Dembkoski discussed the draft Policy and Procedures for Health Insurance under the Federal Affordable Care Act. Under the guidelines we are required to have a policy with procedures in place. We have to look at the requirements and track every hour that every employee is paid including salaried employees. If any employee worked more than 130 hours in a month we have to offer them insurance for the entire next year. We may have issues with the Police Department. Once she has the policy she will work with departments to make sure we are not adding to the insurance budget by adding employees that would exceed that because they may want to be in the retirement system. She will be asking the board to vote on it at the next meeting. They are implementing requirements that we have to comply with. There will also be an increase in expenses because we have to update the payroll vendor to send out numerous forms, track and report hours, etc. She said the next change will be in January 1, 2018 which will be catastrophic to cities and towns.

She gave the members a comparison of where we stand with the General Fund Receipts from last year's first quarter to this year's first quarter; we are up 5.36% over last year. Selectman Watson asked for an explanation on the Payment in Lieu of Taxes where in July \$23,877.18 was added and deducted next month. Ms. Dembkoski said that was for the solar field and the way it was now classified by the DOR.

SELECTMEN'S TIME:

Selectman D'Amore asked Selectman Watson if he would be interested in working on the regulations for the grills with the Police Department. Ms. Dembkoski said she will meet with the Fire and Police Departments together to see what they require. Selectman D'Amore suggested he attend the Planning Board meeting rather than have the PB members attend a BOS meeting. He will ask them what their interest is in updating and implementing the Master Plan and report back to the board. Chair Dunn feels it is time for the town to have a Town Planner.

Chair Dunn would like to meet with the Finance Committee; they will be put on an upcoming agenda. He had a conversation with the Superintendent of Schools who said he does believe we are going to have an increase on our assessment; Chair Dunn would like to meet with the School Committee to know ahead of time. Ms. Dembkoski reached out to a School Committee member to attend the BOS meeting to talk about the Superintendent's statement regarding the budget increase and was told they do not have solid numbers at this point and it is premature. Ms. Dembkoski will reach out again and contact the finance person; she agreed with Chair Dunn and wanted them to talk about it publicly.

Chair Dunn said is working on preparing a bid package for the Bagnall School project that was passed at the Special Town Meeting. He will meet with Ms. Dembkoski and the Road Commissioner on the process of how to put it out to bid.

Ms. Dembkoski said there is a vacancy on the Cemetery Commission; interested persons should contact the Chairman, Bob Guptill.

Selectman Watson toured the electric company building (which is not yet vacant) with Chair Dunn, the Building Inspector, Council on Aging and a representative of Veterans. The COA will look at the footprint and determine what their needs will be for a building to see if this building would be a fit.

Chair Dunn discussed the vacant building on Washington Street. They are in tax title; it is contaminated; and if the roof is compromised it could become a health issue. Chair Dunn would like the Building Inspector and Fire Department to look at it and possibly send a letter asking them to clean it up. The owner will more than likely not answer it, but we owe it to the residents. Ms. Dembkoski will contact both the Fire Department and Building Inspector.

Selectman MacDonald commented that the BOS made a difference on the boat ramp vote.

The next meeting will be held Monday, November 16th at 6:30 p.m.

Chair Dunn made a motion to adjourn; Selectman Wood seconded; voted 5-0-0. The meeting was adjourned at 9:28 p.m.

*** Unanimously Approved – November 30, 2015 ***