

Groveland Board of Selectmen
Meeting Minutes
May 16, 2016

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

Absent: None

Others Present: Cassandra Murphy (Administrative Assistant)

Recorder: Melanie Rich

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

RESIDENT/PUBLIC COMMENTS:

Derek Binding (Berrywood Lane) asked the progress (or lack of) on the Pines project. He said over \$100K worth of stacked concrete boat planks are there and asked why the boat ramp will not be completed. In September 2015 a Special Meeting was held to secure CPA funds to complete the Pines project, the fields, and additional aspects that had to be completed; it had to be done between the months of November and April due to the sturgeons. Chair Dunn said the Road Commissioner told the board that the planks were ordered but the manufacturer could not build them in time and they were delivered late. Mr. Binding wanted to know if the boat ramp was going to be completed. Chair Dunn said the Road Commissioner said it would be started in the fall. He will be asked to attend a meeting for an update.

Mr. Binding said he has been trying to obtain a mooring since last October; the emails he received from Ms. Demboski said that they are in the process of reorganizing. He contacted the Haverhill Harbormaster who said that no one has been in contact with him and he doesn't know what is going on over there. Mr. Binding said people come and go at the boat ramp and asked if the reason we don't have a policy is because we don't have a Harbormaster. Chair Dunn said the current Harbormaster came to a previous meeting and said they were going to reorganize. He was told we are going to stay with the current Harbormaster until appointments come up in July. The Haverhill Harbormaster doesn't want anything to do with the land, only the water, and that the Police Chief was going to handle the operations of the Harbormaster and Assistant Harbormaster.

Tracy Gilford requested an agenda item for the next meeting regarding the Veto project. It has been three years and he would like to know the timetable.

APPROVAL OF WARRANTS:

Selectman Wood made a motion to approve PW#16-47 in the amount of \$132,773.86; Selectman Watson seconded; all voted in favor; warrant approved.

Selectman Wood made a motion to approve DW#16-45A in the amount of \$24,848.86; Selectman Watson seconded; all voted in favor; warrant approved.

Selectman Wood made a motion to approve BW#16-47 in the amount of \$1,067,890.56; Selectman Watson seconded; all voted in favor; warrant approved.

APPOINTMENTS:

Selectman Watson made a motion to appoint Doug Gelina to fill the Board of Health vacancy effective May 17, 2016 until the next annual election; Selectman MacDonald seconded; voted 4-0-0 with Selectman O'Neil not yet present.

DISCUSSION AND POSSIBLE VOTE:

Joe D’Amore to Discuss Social Media Concerns – Mr. D’Amore said the BOS and Fire Department agree on almost all but two major issues: (1) where the appointment power should be vested; and (2) converting or not converting the Fire Chief position to full-time. He does not think the Chief monitors social media on a regular basis and there are members of the Fire Department that get very passionate and have used social media to express their views, specific to a resident whose views countered theirs and also because she revealed that they were friends. He said some members of the Fire Department may not like him, but he does not have complaints about any individuals, it’s the condition. He proceeded to say that a joke came up with his family that if they had a fire, with what some of the members of the Fire Department feel about him, would they show up to save them. He said he has four remedies: (1) Social Media Policy; ask if the Chief enforced it; (2) the board could order him to enforce it because the BOS retains appointment powers over him; (3) the board can include enforcement or provisions to enforce Social Media Policy as part of contract negotiations; and (4) it could be stand alone or in combination with one of those. The BOS could implement a town wide comprehensive Social Media Policy for all employees. This way the BOS can reach the Fire Department members because currently the appointment powers are not vested with the BOS. On the best practices side, he reminded and cautioned the BOS that the Fire Department members, like all employees, have First Amendment Rights; however as public employees, a certain level of standards need to be imposed. He strongly recommended that the Firefighters Association or members of the Fire Department use the services of the public relations firm regarding public policy.

Selectman MacDonald said the Fire Department will show up at any fire no matter who it is; it’s professionalism; they will do the right thing; they are employees of the town. He feels if it crosses the line, the Chief can handle it. Discussions ended due to the public hearing. At 7:05 PM discussions continued. Mr. D’Amore reiterated his remedies and feels it will be fine. Chair Dunn said he agreed and tries hard to keep the relationship between the Selectmen and the Fire Department as good as we can and doesn’t believe the Chief would have a problem doing as Mr. D’Amore asked.

Chief Lay said he has a comprehensive Social Media Policy in place, well researched, best in class, it’s not an issue. He can’t fix what he is unaware of. When he is made aware, he reaches out and quickly takes it down. He has reminded some of his passionate firefighters that Facebook is not always your friend, but he does not control Facebook or social media. His policy does limit their First Amendment Rights; they can’t talk about him or the department; it is limited. Their personal opinions or what they do as an Association have some rights to share their opinions. He is not far apart with the board on anything. He assured the board that he will have a refresher session around this policy and remind them that it is in place and they need to be careful what they say and do because it is a reflection on all of us. Chair Dunn thinks we are heading down the right road. The Chief said using the “PR guy” would not be the right use of his time for what he is being paid for.

Kurt Ruchala wanted to point out the fact that portraying the Fire Department as not willing to respond, no matter what peoples’ opinions are, he takes great offense to that. Joking, not joking, if you want to do it in the back rooms and joke about it, go ahead, but to bring that up in a public forum where other people are watching, he thinks it is at best bad, at worst, tragic. He thinks it’s a ridiculous thing to say, the Fire Department is here to serve and does not take into account who you are, how much taxes you pay, whether you are a resident or not. We get a call; we show up; we do our job. It was very offensive.

Kathy Kastrinelis (12 Hillview Drive) said where she works they have a social media policy and when things happen on line, it is unfortunate but would not call any of it tragic, keep it in perspective, it’s social media. You make amends and go forward.

PUBLIC HEARING: Verizon New England, Inc. & Groveland Light Department – Requesting permission to relocate three (3) poles, wires, cables and fixtures, including anchors, guys and other such necessary sustaining and protection fixtures, along with and across School Street (abutters were notified). Chair Dunn made a motion to open the Public Hearing; Selectman MacDonald seconded; Roll Call Vote: MacDonald yes; Watson yes; Dunn yes; Wood yes; O’Neil yes. Selectman Watson read the Public Hearing Notice into record. Everett Bryan, Right-of-Way Engineer with Engineering and Data Solutions, said they propose to relocate three existing poles within the public way of School Street (Mass Highway 97) at the request of MassDOT. Selectman MacDonald asked why they wanted to move them; Mr. Bryan did not have details except to say that MassDOT has a project and requested they relocate the poles for that project. Roll Call Vote was made; however, there was no motion to vote on or vote actually taken: MacDonald yes; Watson yes; Dunn yes; Wood yes; O’Neil yes. The public hearing was closed at 7:05PM.

DISCUSSION AND POSSIBLE VOTE continued:

Follow-up discussion and signing of the Conservation Restrictions (CR) for the former Mattingly and Angelini properties – The Conservation Restrictions were previously presented to the board. Jim Sheehan (Water & Sewer Department) said the mechanism goes back a long way; \$100K was donated towards Angelini’s property for mitigation. The solar field had to be mitigated; the contractor posted \$120K towards Natural Heritage. They are in favor of the CR. Chair Dunn explained for the audience the land in question and said it was purchased only for the two well sites. It has nothing to do with the Bussing property. Mr. Dempsey said the CR does not change the ownership of the property; the town owns it. It puts restrictions on it and allows what can be done with the property by us. Essex County Greenbelt will serve as the monitors of the CR. Selectman Wood recalls the restrictions be very adamant at the beginning but lessened throughout the document. He said as long as we are not being held that we cannot do anything with that land, he has no problem. Chair Dunn wants to make sure that access to the Bussing property is in the CR; Mr. Dempsey said it is in there. Selectman MacDonald thinks it should be reviewed by Town Counsel. Mr. Dempsey was concerned that if we don’t do it and time moves on, we will have to start all over again. Selectman Wood asked if there was any danger holding off to be sure Town Counsel is 100% behind it. Selectman MacDonald said it is complex and should be reviewed by Town Counsel. Selectman Wood thinks it is prudent to have town counsel review it. Selectman Watson asked if there were any other management companies available; Mr. Dempsey said no companies, it is usually third-party, non-profit organizations. There is a land trust in Boxford (who was not interested), and possibly the Audubon Society (they may hold trusts). Selectman O’Neil asked if there was a deadline; yes, but it was missed. Mr. Dempsey said we don’t want to ask what the consequences are of not doing it. Chair Dunn said we will ask Town Counsel to review it and hope to have it back for the next meeting.

Matt Castonguay to present Summer Program Appointments and Salaries – The 2016 Summer Recreation Staff list was submitted; there is no new staff; still needed is an Arts & Craft Instructor. The pay increase is 2%; there are two position changes (one Counselor to Enrichment Instructor and one Counselor to Front Desk Supervisor). Selectman Watson asked how he justified the increase. Mr. Castonguay said it is a combination of duties and responsibilities, education, and longevity with the program. Research shows they are in line with other communities. Selectman MacDonald is in favor of a stipend. Mr. Castonguay said the program is very different than it was 12 years ago. The numbers are calculated based on the amount of hours the program will be running for the seven weeks. Chair Dunn said because of the audit, the program had to be brought into compliance and in doing that one field trip was lost. Selectman MacDonald said maybe they shouldn’t get the pay raise; Mr. Castonguay said he would not have a problem not accepting a raise this year and sure a lot of the other staff would not either. Selectman MacDonald said the people need to know that the BOS did not take away that field trip; the pay raises took away the field trip. Mr. Castonguay said that is not a fair statement. Selectman Watson said last year he said it would be detrimental to the program if he didn’t hire another Assistant Director; what

happened between then and now that you eliminated that position. Mr. Castonguay said we are capping the enrollment number at 175 campers and 25 CITs; 40 to 60 children less than last year; the Front Desk Supervisor will pick up some extra duties that person wasn't responsible for last year. He felt if they eliminated one of the Assistant Director positions they had a good chance to get the field trip back. Selectman O'Neil asked how we get the program back to where it was before financially. Chair Dunn explained that it was not structured correctly and it would have to be voted on at town meeting. Selectman O'Neil said it should be explored because it is an asset and success to the town. Chair Dunn said if we want to change the program, it will need to be restructured; an agenda item is needed to discuss it further. The board was satisfied with the rates per hour. Program hours are 8:30AM-3:30PM with an extended day portion for working parents until 5:30PM five days a week. Mr. Castonguay is on site 50% of the time; he spends countless hours at home working on the program; the Assistant Director is in charge when he is not there. He will report back with the numbers after the program ends to see if it can be on the Special Fall Town Meeting. He said they pride themselves on offering a quality program and he prides himself on providing the best possible program for the town.

Chief Lay (Monthly Report) – He provided the runs for the month; total of 54 calls, down from 60 but still up 10% from last year; 85% of the calls are medical in nature. He talked to Trinity about bringing an ambulance over here; rather unlikely; it would be a significant investment to dedicate an ambulance to this community (in the range of \$500K). He provided a summary of the number of times Trinity comes to Groveland in a year. He said they were approved by the Department of Public Health in May for their EMS Service Zone Plan. The plan puts the Fire Chief in charge of fire-based EMS; he is responsible to make sure it all gets delivered within the boundaries of the agreement. The agreement says the Police Department has to be there in 4 minutes; the Fire Department in 6 minutes. He said 6 minutes is good, but after 6 minutes you start to lose hope from a patient care side; it is critical that we get the first responders there; patient care early is the issue, not how long it takes for the ambulance to show up. He will work to tighten up some of the Fire Department's response times and is working closely with the Police Department to improve service levels.

The next step is to become a Class 5 non-transport ambulance; it provides them everything that a BLS ambulance can do except for transport; becoming a transport ambulance would follow. There is a committee doing a feasibility study to see what the opportunities are in that area. The towns around us run ambulances out of enterprise accounts with no increase in budget. He said the EMS is changing rapidly. Selectman O'Neil asked what the end game is. The Chief said to deliver to the town the best possible EMS service at the right cost.

The Association voted to approve \$800 to buy two flat screen monitors and hardware to install in the fire stations. With a phone app, they answer the call with their phone and it shows up on the screen in the station. He didn't have the budget to do that so the Association voted last week to buy that equipment for the town.

Selectman MacDonald asked about fire prevention and what can be done to lessen the fire calls. The Chief said most fires are cooking fires. Selectman Watson asked him to include high end and low end response times to his report. Chair Dunn asked if they could have the discussions on the fire pits because he is still getting calls. Chief Lay said he talked with Mr. Keane tonight and gave me a document that we're going to clean up.

VOTES OF THE BOARD:

Selectman Watson made a motion to approve the April 19, 2016 Minutes; Selectman Wood seconded; voted 4-0-1 with Selectman O'Neil abstaining.

Selectman Watson made a motion to approve the April 19, 2016 Special Meeting Minutes; Selectman Wood seconded; 4-0-1 with Selectman O’Neil abstaining.

Selectman Wood made a motion to approve the April 19, 2016 Executive Session Meeting Minutes; Selectman Watson seconded; 4-0-1 with Selectman O’Neil abstaining.

Selectman Watson made a motion to approve the Remote Participation Policy; Selectman Wood seconded; voted 5-0-0.

Selectman Watson made a motion to approve the request for a Veasey Park insert to be put in the July 1st tax bill; Selectman Wood seconded; voted 5-0-0.

One-Day Liquor License for a graduation party at Veasey Park, June 4, 2016 between the hours of 1PM and 5PM requiring a Detail Officer on the premises. Selectman Watson spoke to Mike Dempsey about a discrepancy on the Certificate of Liability Insurance. The liquor license indicates alcohol between 1PM-5PM with a Detail Officer required with 100 guests. The Certificate of Liability lists the hours of 6PM-10PM with 75 attendees; it needs to be corrected. He doesn’t feel comfortable voting on it without a proper Certificate of Liability insurance policy; tabled to May 31st.

Selectman Watson made a motion to approve the Certificate of Achievement to Joshua Joseph Garzone for attaining the rank of Eagle Scout; Selectman Wood seconded; voted 5-0-0. He will be asked to attend a future meeting so the board can present the Certificate to him.

OLD BUSINESS (Unfinished Business):

Chair Dunn said he is getting calls about the Pines project. The Road Commissioner said they are going to do loaming and seeding on the sides. The bathroom plumbing is going out to bid soon.

Selectman Watson said we need an update on the plumbing and handicap accessible bathrooms at Shanahan Field. Ms. Murphy will contact Steve Merrill for an update.

The Chair will attend a pre-bid conference meeting on Friday at the Bagnall School for the well.

Selectman MacDonald and Mike Dempsey worked on the 150 Center Street issue. Selectman MacDonald had a conversation with Representative Lenny Mirra to see if he would be supportive of a legislative process to allow CPA funds to be used to pay for the debt exclusion. He was told to put something together and submit it to his office with a copy to Senator Bruce Tarr. The CPA would have to approve it and it would have to go to town meeting. Mr. Dempsey said he put a draft together that explains the whole history; how we got here, and what we are looking for. The Community Preservation Committee is meeting on June 2nd; if they approve it, it will go to the BOS for review. It can then be sent to Representative Mirra and Senator Tarr. Chair Dunn said we could have a conversation regarding the use with Chesterton.

CORRESPONDENCE TO BE REVIEWED:

1. Minutes from May 3, 2016.
2. Invitation to the Memorial Day Service to be held on Thursday, May 26th at 6:30PM at Town Hall.

FINANCE DIRECTOR’S TIME:

Ms. Dembkoski is on vacation this week. Ms. Murphy reminded the board that the next meeting will be held on Tuesday, May 31st due to the Memorial Day holiday.

SELECTMEN'S TIME:

Selectman Watson said we will soon be appointing people to boards and committees; there are vacancies. If anyone is interested in serving, please get their information to Ms. Murphy so those vacancies can be filled; we need people to step us. He would also like to get the word out that the Fire Station is wired for community access, available, and should be utilized by the committees.

Selectman Watson said the Library Search Committee met and interviewed candidates; three names have been submitted to the Library Trustees for consideration.

Selectman MacDonald said there is an All Star Tournament at Washington Park in April. He asked if the cable station would be interested in covering it. Selectman O'Neil said the grass needs to be cut. Selectman MacDonald said there is a budget to maintain the fields. Chair Dunn said the Highway Commissioner will be asked to attend the next meeting to discuss it.

The next regular meeting will be held Tuesday, May 31, 2016 at 6:30 p.m.

Selectman Watson made a motion to adjourn; Selectman O'Neil seconded; voted 5-0-0. The meeting was adjourned at 9:02 p.m.

**** Unanimously approved on June 13, 2016 ****