

Groveland Board of Selectmen
Meeting Minutes
June 13, 2016

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

Absent: Selectman Michael Wood

Others Present: Denise Dembkoski (Finance Director)

Recorder: Melanie Rich

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

RESIDENT/PUBLIC COMMENTS:

Beth Burton, Library Board of Trustees Chair, was present to ask for clarification on a contract for the Director. The Massachusetts Board of Library Commissioners says that a mandatory contract is required, but Town Counsel said they were fine without one; they want to be clear as a board. The MLC suggested the Personnel Director meet with the BOS and Town Counsel. Ms. Dembkoski spoke with Ann McCann who said it is on the Library's next agenda. She forwarded Ms. McCann's email to Town Counsel to review and requested a response. Ms. Burton asked that the response be in writing. The board will forward Ms. Burton the response when it is received.

APPROVAL OF WARRANTS:

Selectman MacDonald made a motion to approve PW#16-51 in the amount of \$139,183.33; Selectman Watson seconded; all voted in favor; warrant approved.

Selectman MacDonald made a motion to approve DW#16-49A in the amount of \$28,105.02; Selectman Watson seconded; all voted in favor; warrant approved.

Selectman MacDonald made a motion to approve DW#16-49C in the amount of \$300.00; Selectman Watson seconded; all voted in favor; warrant approved.

Selectman MacDonald made a motion to approve BW#16-51 in the amount of \$1,082,408.77; Selectman Watson seconded; all voted in favor; warrant approved.

APPOINTMENTS:

Selectman Watson made a motion to appoint Robert Raimondi to the volunteer position of Dock Master effective June 13, 2016 through June 30, 2016; Selectman O'Neil seconded; voted 4-0-0.

Selectman Watson made a motion to appoint Nicholas RC Toleos to the volunteer position of Dock Master effective June 13, 2016 through June 30, 2016; Selectman O'Neil Wood seconded; voted 4-0-0.

DISCUSSION AND POSSIBLE VOTE:

Sam Joslin, Building Inspector (Revised Electrical Permit Fee Schedule) – With the new software coming soon and before putting the fee schedule into the software program, Mr. Joslin said that the existing Electrical Permit Fee Schedule is four pages long, very confusing, and outdated. He revised it and explained that there were no major changes; not an overall increase; it is primarily to eliminate the confusing language. After satisfactorily answering the board's questions; Selectman Watson made a motion to accept the revised Electrical Permit Fee Schedule; Selectman O'Neil seconded; voted 4-0-0.

PUBLIC HEARING: Renewal of Water Commissioner's Permit for Earth Removal activities on property located on Zachary Lane, Groveland MA – Selectman Watson read the Hearing Notice into record. The

Chair opened the Public Hearing. Roll Call Vote: MacDonald yes; Watson yes; Dunn yes; O’Neil yes. Water and Sewer Commissioner Jim Sheehan spoke and said it is a renewal of an existing gravel permit on the former Angelini property; they are still working on the first grid; the paperwork seems to be in order. He explained the plan; the entire lot will be graded to 6’ above the water table, at which time the work will stop; it is being monitored by DEP. When completed, part of that land will be set aside for the well; there will be no building on it; it will be part of the Conservation Restriction. Ms. Demboski said it is the same permit that came before the board last year. The only change is that restriction for how the trucks exited on Center Street was removed. The Highway Department said that was not in the best interest because it was going to deteriorate the road; it works much better when they come out and take a left. All other conditions remain the same. She also wanted to clarify that it is not a five year permit; it has to be renewed every year up to five years. Mike Dempsey (Conservation) said part of the permit includes monitoring by the Highway Department and Conservation; he has found everything to be satisfactory and said Conservation does not have any issues with renewing the permit. Abutters were notified of the public hearing. Selectman O’Neil made a motion to accept and approve the renewal for the Earth Removal Permit at the former Angelini property; Selectman Watson seconded. Roll Call Vote: MacDonald yes; Watson yes; Dunn yes; O’Neil yes. The Public Hearing was closed at 7:12 p.m. Roll Call Vote: MacDonald yes; Watson yes; Dunn yes; O’Neil yes.

DISCUSSION AND POSSIBLE VOTE continued:

Conservation Commission Request to Hire Conservation Agent – Mr. Dempsey said the Commission came up with four goals for FY17 they believe will enhance their services to the citizens. The most significant goal is to hire a part-time Conservation Agent who would assume some of the responsibility and tasks that are handled by volunteers. The other three goals were to improve services to the public by continuing documentation of their procedures, enhance neighborhoods through improvements to Conservation properties, and increase community development by better publicizing open space properties and trails. The agent would work 12-15 hours/week with a maximum budget of \$15K. Services are provided by fees; state mandated fees are collected and the Commission is able to maintain their level of service; they have close to \$30K. The only difficulty the Commission sees is that fees are not a constant source of income; they hope to sustain that. Having an agent could increase revenue through Certificates of Compliance which are currently not getting filed. He is asking that the board approve the creation of an employee for the Town of Groveland whose title would be “Part-Time Conservation Agent” to be funded entirely by fees from the Conservation Commission.

Selectman Watson would like to see a list of the Conservation fees, what they are and what they are used for and then have a discussion. Selectman MacDonald asked if it budgeted for; yes, it was rolled into the Planner/Conservation Agent. Chair Dunn is concerned what happens in the third year; he doesn’t want to hire someone for two years and run out of money. Selectman MacDonald asked how that would affect the public. Mr. Dempsey said the Commission is dependent upon volunteers; he does a lot of work because he has the time. The agent will be trained to our procedures, and it will allow the Commission to have set times in town hall to provide better services to the public. Selectman O’Neil asked if the work load warrants it; yes; is it more seasonal; yes. His concern is the seasonality; you want to make sure he has work to do year-round. Mr. Dempsey will email the fees to the members. Selectman Watson suggested sending the paperwork to the Building Inspector for his review to see if there are any duplication possibilities; the board agreed. The Chair would like to see that the money has been set aside. Ms. Demboski said it has already been set aside; town meeting authorized the transfer.

Chief Lay (Monthly Fire Department Report) – Selectman O’Neil asked the cost of the fire truck; right now \$750K; it will be delivered at the end of September. They are working on finalizing the specifications and agreement. Incidents were down a bit; fairly flat. Comparison from month to month they are down; year to year they are up. Budget: The Chief was concerned he would run over, but received guidance that if he has the offsetting expense money against what he projects he will be over in wages it will be acceptable.

Ms. Dembkoski said he will have to go for a reserve fund transfer between Finance and the BOS. She told him and anyone else who needs a reserve fund transfer, that we cannot move money from expense to salary. EMS Update: They are working through the ambulance service application process. They have a new hospital affiliation agreement. He has been in contact with Ms. Dembkoski about the insurance limits; they can modify the agreement. They created a new set of standard operating guidelines which supports the EMS mission that is required by DPH. They have a new quality assessment and improvement program; everything you do at EMS has to be reviewed through a formal process and you have to have corresponding improvements against any shortfalls that you find. They have a new agreement for medical exchange (he doesn't have to go online and order his meds); he can get them from the hospital immediately. In order to qualify the trucks as ambulances, there is certain equipment required. Last week he purchased binoculars, road triangles and GPS; if he has money left at the end of the budget, he needs to get that quickly. People will never be transported in the fire truck. They will be an ambulance service; they just won't transport. The quicker the people get pre-hospital care, the better the outcome in the long run. They talked to Trinity about some of the shortfalls and they are working on it. They changed the EMS vendor (provider of EMS training). Reappointments: He gave the board a power point presentation as to where he is headed; it is time to reorganize. He has been working with the officers for months to get in the right place. Chair Dunn said to be fair; the Chief agreed. System Conversion: The fire reporting system they use has been upgraded; he and Captain Ruchala went to the training and successfully passed through all the data conversion. It does not have the payroll system in it; he talked to the VP of Development and it is being customized. Sheriff's Department Community Service Team: The Chief had them in painting and cleaning. He did forward to Ms. Dembkoski some job descriptions. Chair Dunn asked if the new ladder truck will fit through the garage doors; the Chief said the truck will fit through the opening, but the doors will be replaced. Selectman O'Neil asked if he could supply year-to-date reporting; yes. The Chief is also working on regionalization.

Recreation Committee – Mike Houghton said of the \$240K approved, the biggest unknown is the well. A bid was put out in February; some bids were received (about \$6K higher than what they thought it was going to be); those bids were pulled. Another bid went out, they are due Wednesday. Depending on what they see, they will get the well done; the next step would be preparation for the fields for the topsoil as well as for the irrigation. They hope the well is roughly \$36,500; the first bids were \$44,300. Chair Dunn said if it came in at \$46K that would leave 194K. Mr. Houghton said the recommendation for the next step would be to have an “as is” survey done to know exactly what they will need for topsoil for both fields as well as for the irrigation. Selectman MacDonald asked why the well would cost \$46K. Ms. Dembkoski said prevailing wage is factored in and believes the well awarded for Bagnall was in a worst case scenario. It is hoped the final total will come in less than that.

Chair Dunn said the Pines project should have a group of people to be involved going forward because people said they didn't have the say they wanted; the group should be diverse, not all from Recreation. The Road Commissioner said he would take care of the bathrooms and the boat ramp (the boat ramp has been put off until November), but the Chair sees the construction going on with the bathrooms and believes he is keeping his word. Selectman MacDonald said we should get the ball rolling and think about sponsorship and user fees and have all the interested groups be part of it. We need someone to take ownership; perhaps hire a Recreation Director. Selectman Watson said the recreational facilities in the town are top notch, they keep expanding, and it is putting a lot of responsibility on a volunteer group. Maybe we need a point person to run the Pines, Washington Park, Center Street, and the soccer fields. Erin Merrill asked what responsibility Recreation would have because right now they have softball and basketball and no oversight. Chair Dunn said if they took it on, they would have ownership and run it. Ms. Dembkoski said one the issues she has is that she is constantly being asked for money to replace things but has no idea of what goes on down there. She thought that Recreation could weigh in with an answer of what needs to be done and what can wait; it is hard to prioritize with a limited amount of money. Ms. Merrill asked if the board could put something in writing so it can be discussed with their board as to what responsibilities we are looking for. Chair Dunn said all he wants is the Recreation Committee to do it or find a group of people to do what GBL

does. Selectman MacDonald asked if it would make sense to form a committee, have them elect a chairman and have a revolving account similar to Veasey Park so they could have some authority to sell sponsorships, etc. Ms. Dembkoski said she recommended that two years ago when she first started and thinks that's what needs to happen with Recreation; there needs to be a revolving account that they are generating enough revenue to cover expenses. They need to figure out what expenses they will charge to Recreation; they don't want to combine the money from their groups into a revolving account. Mr. Houghton agreed this was a good start. Ms. Dembkoski said when then infrastructure was done, it included infrastructure for a future concession stand. There is no availability on any field, including the non-fields, until November; the facility is at capacity; that's how much it is being used.

Board & Committee Annual Appointments – Ms. Dembkoski said under the law we are required to have an ADA Coordinator; we do not. She researched and found that 90% of the ADA Coordinators are Building Inspectors; our Building Inspector is the ADA Coordinator in his other community and would recommend that the board appoint Sam Joslin to that role. Selectman Watson made a motion to appoint Sam Joslin as the ADA Coordinator; Selectman MacDonald seconded; voted 4-0-0.

Selectman Watson made a motion to appoint Bruce Adams, Erin Merrill, Melissa Covey and Robert Guptill to the Affordable Housing Committee; Selectman MacDonald seconded; voted 4-0-0.

Selectman Watson made a motion to appoint Richard Danforth as Assistant Plumbing Inspector until 6/30/17; Selectman O'Neil seconded; voted 4-0-0.

Selectman Watson made a motion to table the appointments for the Board of Registrars to the next meeting as there may be others that are interested; Selectman MacDonald seconded; voted 4-0-0.

Selectman Watson made a motion to appoint Sam Joslin as Building Inspector until 6/30/17; Selectman O'Neil seconded; voted 4-0-0.

Selectman O'Neil made a motion to appoint Anne Brodie as Burial Agent until 6/30/17; Selectman Watson seconded; voted 4-0-0.

Selectman O'Neil made a motion to appoint Beth Rose, Ed Watson, John McComiskie and Tracy Gilford to the Cable TV Advisory Board until 6/30/17; Selectman MacDonald seconded; voted 3-0-1 with Selectman Watson abstaining.

Selectman Watson made a motion to appoint Kenneth Cunniff to the Capital Improvement Committee until 6/30/17; Selectman MacDonald seconded; voted 4-0-0.

Selectman Watson made a motion to appoint Denise Dembkoski to the Capital Improvement Committee Ex-Officio until 6/30/17; Selectman MacDonald seconded; voted 4-0-0.

Selectman Watson made a motion to appoint Carl Keene and John Gebauer to the Conservation Commission for a term to expire September 1, 2016. He said the board has asked the Commission to make a decision regarding the grills on Center Street; they are not making the decision and if they can't make a decision, we will look for other people; we need action. Selectman MacDonald seconded the motion. Selectman MacDonald wants to clarify whether we can change the appointment terms and discuss it at the next meeting. Selectman Watson withdrew the motion and made a motion to table until the next meeting. He said it is embarrassing to the board that they haven't made a decision. Selectman MacDonald's understanding is that Conservation removed the grills because the Fire Chief has the authority over fire prevention. The board's recommendation was that they come up with some rules and deferred to the Fire Chief on what they could be. If the Fire Chief assents to the compromise, then Conservation's initial reason for removal no longer exists. The board is the appointing authority; the Commission does work

autonomously, but if we are dissatisfied with the service, we don't have to cast our vote in favor. Chair Dunn said it is between the Conservation Commission and the Fire Chief. Mike Dempsey said the Commission voted in March to not to put the grills back because they could not get a written statement from the Fire Chief. He doesn't understand how you can make an appointment based on whether you disagree with the way somebody will potentially vote. Selectman MacDonald said we are accountable to the people and need to weigh in on it; once they are appointed it is too late. Chair Dunn will contact the Fire Chief. Selectman MacDonald seconded the motion to table; voted 4-0-0.

Selectman Watson made a motion to appoint Carl Much and Dorothy DiChiara to the Council on Aging for a three-year term; Selectman O'Neil seconded; voted 4-0-0.

Selectman Watson made a motion to appoint Gail Denning and Susan D'Angelo to the Cultural Council for a six-year term; Selectman MacDonald seconded; voted 4-0-0.

Selectman Watson made a motion to appoint Robert Arakelian as Earth Removal Enforcement Officer/Site Inspector until 6/30/17; Selectman MacDonald seconded; voted 3-1-0 with Selectman O'Neil against.

Selectman Watson made a motion to appoint Dave Tuttle as Election Constable until 6/30/17; Selectman O'Neil seconded; voted 4-0-0.

Selectman Watson made a motion to appoint William Cook to a three-year term on the Finance Board; Selectman MacDonald seconded; voted 4-0-0.

Selectman Watson made a motion to appoint Chief Robert Lay as the Forest Fire Warden; and annual appointment until 6/30/17; Selectman O'Neil seconded; voted 4-0-0.

Selectman O'Neil made a motion to appoint Deborah Ketchen as Health Agent until 6/30/17; Selectman Watson seconded; voted 4-0-0.

Selectman O'Neil made a motion to appoint Anita Wright as Health Nurse until 6/30/17; Selectman Watson seconded; voted 4-0-0.

Selectman O'Neil made a motion to appoint Carroll Gustafson and Claire Walsh to the Historic Commission until 6/30/19; Selectman Watson seconded; voted 4-0-0.

Selectman Watson made a motion to appoint Robert O'Hanley to the Merrimack Valley Planning Commission until 6/30/17; Selectman O'Neil seconded; voted 4-0-0.

Selectman Watson made a motion to appoint Robert Arakelian as an Alternate to the Merrimack Valley Planning Commission until 6/30/17; Selectman MacDonald seconded; voted 3-1-0 with Selectman O'Neil against.

Selectman Watson made a motion to appoint Alex Johnson, Jennifer Cadigan, Michael Cordaro, Michael Davis, and Robert Guptill to the Open Space and Trails Committee until 6/30/17; Selectman O'Neil seconded; voted 4-0-0.

Selectman Watson made a motion to appoint Dan MacDonald to the Pentucket Regional Finance Committee until 6/30/17; Selectman O'Neil seconded; voted 3-0-1 with Selectman MacDonald abstaining.

Selectman Watson made a motion to appoint Gerald Viens as Plumbing/Gas Inspector until 6/30/17; Selectman O'Neil seconded; voted 4-0-0.

Selectman Watson made a motion to appoint Jen O'Malley as Recreation Auxiliary Member to 6/30/17; Selectman O'Neil seconded; voted 4-0-0.

Selectman O'Neil made a motion to appoint Elise Hunt, Bethany Silva, Daniel Stewart, Doug Demers, Erin Merrill, Michael Houghton and Pamela Blaquiere to the Recreation Committee until 6/30/17; Selectman MacDonald seconded; voted 3-0-1. Selectman Watson abstained.

Right-to-Know Officer (vacant). Ms. Demboski will email the Fire Chief to see if he has someone qualified to fill the position. Tabled.

Selectman Watson made a motion to appoint William Carter to the Stormwater Management Committee until 6/30/17; Selectman O'Neil seconded; voted 4-0-0.

Selectman Watson made a motion to Mark Parenteau as Superintendent Insect Pest Control to 6/30/17; Selectman O'Neil seconded; voted 4-0-0.

Selectman Watson made a motion to appoint Kopelman & Paige as Town Counsel to 6/30/17; Selectman O'Neil seconded; voted 4-0-0.

Selectman O'Neil made a motion to appoint Michael Ingham as Veteran's Agent to 6/30/17; Selectman O'Neil withdrew the motion. Before appointing him, the board would like to find out about his hours. Selectman Watson made a motion to table the appointment until the next meeting; Selectman O'Neil seconded; voted 4-0-0.

Selectman Watson made a motion to appoint Albert Seavey as Wiring Inspector to 6/30/17; Selectman O'Neil seconded; voted 4-0-0.

Selectman Watson made a motion to appoint Kacy Bailey and Kathleen Franson to the Zoning Board of Appeals to a three year term; Selectman O'Neil seconded; voted 3-0-1 with Selectman MacDonald abstainig.

Selectman Watson made a motion to appoint Sam Joslin as Zoning Enforcement Officer to 6/30/17; Selectman O'Neil seconded; voted 4-0-0.

VOTES OF THE BOARD:

1. Selectman Watson made a motion to approve the May 16, 2016 Minutes; Selectman O'Neil seconded; voted 4-0-0.
2. Vote and Sign the \$2,410,000 Bond Anticipation Note for the Water Main project, Fire Truck, and Police Dispatch Center – Selectman Watson made a motion to accept the following vote of the Board of Selectman:

Voted to approve the sale of the \$2,410,000 1.20 percent General Obligation Bond Anticipation Notes (the "Notes") of the Town dated June 17, 2016 and payable June 16, 2017 to Century Bank and Trust Company at par and accrued interest, if any, plus a premium of \$7,471.00;

Further Voted that in connection with the marketing and sale of the notes, the preparation and distribution of a Notice of sale and Preliminary Official statement dated May 31, 2016, and a final Official statement dated June 7, 2016, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted;

Further Voted that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time;

Further Voted that we authorize and direct the Treasurer to review and update the Town's post issuance federal tax compliance procedures with such change, if any, as the Treasurer and bond counsel deem sufficient in order to monitor and maintain the tax-exempt status of the Notes;

Further Voted that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes;

Selectman O'Neil seconded; voted 4-0-0.

Selectman MacDonald noticed the purchaser is Century Bank & Trust. In part it says that no official of the town has any direct or indirect financial interest. Ms. Dembkoski said it would not affect him directly if they buy the municipal bonds; he will not benefit on a personal level. He would like to reconsider and abstain from signing. Chair Dunn made a motion to reconsider the vote of the \$2,410,000 Bond Anticipation Note based on the language contained in the note; Selectman Watson seconded. Roll Call Vote: MacDonald abstained; Watson yes; Dunn yes; O'Neil yes. Selectman Watson made a motion to approve the \$2,410,000 Bond Anticipation Note for the Water Main project, Fire Truck, and Police Dispatch Center; Selectman O'Neil seconded; voted 3-0-1 (Selectman MacDonald abstained).

3. Selectman Watson made a motion to approve the One-Day Liquor License for a Doo Wop Hop at Nicholas Village with Mill River Wines for Saturday, June 25th from 4PM-8PM; Selectman MacDonald seconded; voted 4-0-0. Rain date is Sunday, June 26th.

OLD BUSINESS (Unfinished Business):

Selectman Watson asked if Ms. Dembkoski had received a priority list regarding the Veto room; she has not.

Selectman O'Neil asked about the punch list regarding the Shanahan fields. Ms. Dembkoski said the Community Preservation met and authorized money to be spent for the renovations; we are working on that phase.

Selectman MacDonald said they are continuing to work on the Zoning Bylaws.

He also said he and Ms. Dembkoski have been communicating regarding compliance with state public bidding law. He said all the departments need to comply with the state procurement laws. Chair Dunn agreed and thinks the ones that are in play now will come in overbid because of the prevailing wage. Selectman MacDonald said there needs to be accountability; we need to comply with the law.

Selectman O'Neil apologized to Ms. Stewart for his comment regarding the Memorial Day ceremony. He apologized for missing it and looks forward to it next year.

CORRESPONDENCE TO BE REVIEWED:

1. Minutes from May 31, 2016.

2. Letter to Mrs. Delaflor regarding 299-301 Main Street, Groveland.
3. Grant award letter for \$22,690 to purchase software and equipment to implement e-permitting.
The Building Inspector found the grant, we applied for it and, because we are a Compact Community and have the need, we were awarded it. The software Mr. Joslin is bringing in has no cost associated with it, but this will allow us to buy a large plot scanner and a large plot printer; we can print and scan any supporting documentation in-house rather than going outside. In addition, if training is needed or forms need to be changed to accomplish the e-permitting, it can be used for that. Selectman Watson suggested sending a letter to thank Mr. Joslin for finding and following up with this grant.
4. Email from Joe D'Amore regarding Memorial Day and future town events.
5. Email from Kathleen Prunier regarding the May 31, 2016 Selectmen's Meeting.

FINANCE DIRECTOR'S TIME: None tonight.

SELECTMEN'S TIME:

Concerning Washington Hall, Selectman Watson read the upcoming events for the benefit of the Historical Society: Monument Square Brass Quintet, Sunday July 3rd 2PM, tickets are \$10; Red Sox Ticket Raffle for Saturday, September 17th, drawing will be at the Groveland Day at the Pines, tickets are \$10. The Chair thanked Selectman Watson for donating the tickets.

The next regular meeting will be held Monday, June 27, 2016 at 6:30 p.m.

Selectman Watson made a motion to adjourn; Selectman O'Neil seconded; voted 4-0-0. The meeting was adjourned at 9:49 p.m.

*** Approved on a vote of 3-0-1 with Selectman Wood abstaining on July 11, 2016 ***