

Groveland Board of Selectmen
Meeting Minutes
January 25, 2016

Present: Chair William Dunn, Selectman Daniel MacDonald, Selectman Joe D'Amore, Selectman Michael Wood, Selectman Ed Watson

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:

Police Chief Kirmelewicz attended to notify the board that he will be retiring at the end of his current contract (June 2017). He suggested that a succession plan be in place; by doing so everyone moves up in the ranks. The board agreed. The Chair, along with each individual member of the board thanked and appreciated the Chief for his ongoing service.

APPROVAL OF WARRANTS:

Selectman Wood made a motion to approve PW#16-31 in the amount of \$136,319.71; Selectman Watson seconded; all voted in favor; warrant approved.

Selectman Wood made a motion to approve DW#16-29A in the amount of \$35,748.65; Selectman Watson seconded; all voted in favor; warrant approved.

Selectman Wood made a motion to approve BW#16-31 in the amount of \$349,384.96; Selectman Watson seconded; all voted in favor; warrant approved.

APPOINTMENTS

Selectman Watson made a motion to appoint David Tuttle to fill the vacant Election Constable position through June 30, 2016; Selectman Wood seconded; voted 5-0-0. Chair Dunn thanked Mr. Daniels for his years of service.

DISCUSSION AND POSSIBLE VOTE:

Open Space and Trail Committee to provide an update on the Rail Trail project – Alex Johnson and Mike Davis (Open Space and Trails Committee members) were present. Also present were John Hendrickson (FST), Todd Fontenella (Merrimack Valley Planning Commission), Chris Roop (Georgetown Rail Trail Committee), Kate Day (Danvers Rail Trail Committee), and Bill Steelman (Essex Natural Heritage), all of whom were instrumental in their support. They could receive \$2 million on the return of the \$350K CPA investment for the off road portion. The design is being paid for with available state grants; funds will pay for the construction. It is intended to be a 100% self-sustaining trail in both the fiscal and physical maintenance. The objective of the project is to provide a safe scenic trail for healthy outdoor recreation and pedestrian transportation for all ages and abilities. There are two segments to the project: off road and on road. Off road will run from the King Street substation along the Nashua right-of-way, crossing Center Street, crossing School Street, all the way up to 441 Main Street (Johnson's Creek) and hopefully to the Bradford border. The project is paid 100% by CPA funds. They do not intend to ask for funds for long-term maintenance, and have not used any general funds for the design. The 25% design plan is done; it will be submitted and reviewed in February to acquire a project ID# and then be put in the MassDOT funding queue. They will be asking CPA for funds for the design and footprint from the south side of Main Street to Johnson's Creek. They will then have all the monies needed to get it through the state construction

process and build. Selectman Wood asked what type of construction is needed for the on road portion. Mr. Johnson said it is TBD at the moment because there are bigger design challenges involved in that stretch.

Chair Dunn asked if they saw any problems with funding. Mr. Fontenella said the federal and state governments are looking for connectivity; regional connections. The funds are separate from highway funds; they are not in competition with road and bridge projects. Selectman Watson asked about the School Street crossing and coordination efforts with the Route 97 project, and a possible spur to the Bagnall School. Mr. Fontenella did not believe they are looking to do a separate spur directly to the school. They have a relationship with the project leader for the Route 97 project who is prepared to enter a change order for their design into that project. As far as the spur for the school, he said there will be natural improved sidewalk as part of the Route 97 project. Selectman MacDonald asked what the plans are for parking and what was gained by going to town hall. Mr. Johnson said the Main Street section is estimated to be \$200K which would come from CPA funds. Selectman D'Amore said the focus on funding this year is \$55K. Mr. Davis said it would include two components: (1) the 100% design for the quarter mile stretch from Main Street to Johnson's Creek, including the engineering work around the crosswalk at Main Street, and (2) the construction engineering design to support costs through the actual construction; it gets the off road portion (border to border) built. Mr. Davis was asked how the already approved \$300K had been spent. He said it was broken out to different warrant articles; in 2014 they requested \$150K. Approximately \$7K was spent on an attorney who focuses on old railroad right-of-ways; he confirmed that the entire stretch of the property is owned by Natural Grid; there are no encumbrances to prevent the Committee from building the proposed trail on their footprint. \$129,800 was spent on FST to complete both the 10% conceptual plan for the on road and the 25% for the off road. There were also costs associated with mailings, leaving \$12,691 from the 2014 warrant. Last year they asked for \$150K to bring the off road section through 100% design for the King Street to Main Street portion. Chair Dunn asked if we could offset that with the \$55K. Ms. Dembkoski said depending on what they are looking for at project costs and the bills are paid, it could be used to offset it.

Selectman Watson asked if they were planning any trail heads on the off road section and, if so, what is the capacity. He was told the natural trail heads would be at the King Street substation. The Chair asked when the project would start; possibly within the next two years but no guarantees. He asked if there was any discussion about the railroad bridge on the Bradford/Haverhill line they had to cross over. Mr. Fontenella was not aware of any discussions. Mr. Davis noted that the town border falls on the creek and there is an understanding with the Town of Haverhill that they will split the cost to design the bridge. Chair Dunn asked how much more funding is needed. Mr. Davis thinks \$550K is still a good number. With regard to maintenance, Kate Day said they have an entity in place to receive and collect funds for long-term management. They set up a mileage marker sponsorship program; for \$150/year you can have your name on it. Selectman Watson said he has been on many rail trails and amazed at how clean, crime-free and courteous the motorists are when crossing the streets. The Committee members were thanked for coming in and reminded to keep the board informed.

Center Street Aquifer Discussion – Mike Dempsey (Conservation Commission) said one of the reasons they were successful in acquiring the three properties on Center Street was because of the water resource that is located underneath them. Conservation is in the process of completing a Conservation Restriction that will protect the former Mattingly and Angelini properties. Dave Maclean, Senior Hydrogeologist with GeoInsight, was present to talk about aquifers. He said the properties are in the Zone 2 Wellhead Protection area for Well #1; there is an Aquifer Protection District Ordinance in place; details are needed as to what would be developed on the property. Zone 2 covers large portion of area; there is commercial and industrial zoned land in the Zone 2 areas. He said around any large drinking municipal supply well in MA there is a sanitary protective radius, usually 400'. The maps he viewed showed that; it can be done and managed. Mr. Maclean said because the entire parcel is in Zone 2, the concern is more with what they plan to do with it; commercial is different from residential. There are certain things the town requires in our Ordinance, e.g., what kind of regulative materials do they plan to store, will they have any underground storage

tanks, what do they plan to do with stormwater. Selectman D'Amore is not in favor in the event something goes wrong; once a mistake is made, it's done. Selectman MacDonald asked how much soil can be stripped off an aquifer before it is jeopardized. Mr. Maclean said there is a minimum amount allowed for excavation which is specified in the Ordinance. Theoretically, the more you strip off, the less soil on top of the aquifer you have to act as a filter. Selectman Watson said the A.W. Chesterton Company is built on the aquifer, the largest employer in town, on a septic tank, and a very safe company. He feels we could get a company a little smaller, but just as safe as Chesterton. Mr. Maclean said the town would have to make sure whoever come in has the necessary measures; be vigilant. Michael Callan (799 Salem Street) has been in the town sixty-one years and gave a history of the area. Mr. Dempsey said the Angelini permit is protective of the aquifer. It was allowed because the Selectmen decided that it was going to reduce the price of purchasing that property by \$250K and went forward as long as the Conservation Commission and Water Department worked together to protect the aquifer. Mr. McClean was thanked for providing information.

Pending Regional Transportation Changes/Cuts – Selectman D'Amore said Ms. Dembkoski if she had information about Chapter 70 funding. Ms. Dembkoski said at the MMA meeting the Governor did not discuss the regional transportation, but did say he is prioritizing municipalities. He has committed to seeing an increase of about 4.3% of tax revenue; he is interested in seeing that be applied to cities and towns; the projected unrestricted government aid to the town is 4.3% higher than last year. In addition, she received the Chapter 70 estimate for Pentucket; Greg Labrecque said it was about \$35K higher than they were estimating. The Governor is committed this year to adding additional resources to vocational and charter schools; the charter school aspect may hurt us because it will take away funds from the public schools. Selectman D'Amore asked when the first roll out for the schools will be. The school has given her their preliminary numbers; they are scheduled to vote on it February 19th but they are only estimates; she does not anticipate an override. Selectman MacDonald asked much is payroll related; approximately 40%. Her priority would be to put money into the OPEB fund; into a stabilization or capital stabilization account; she feels putting money away for the future is a priority. Selectman MacDonald asked the process. She said departments submit their request to the board; the board votes on what they would like to see go to the Finance Committee; the Finance Committee reviews and fine tunes it, and they present it at town meeting. It is the Finance budget that goes to town meeting, but that budget should be based on the recommendations of the BOS. Selectman MacDonald said we should start with flatline except for contractual obligations. Ms. Dembkoski said the Police Department has shifted their excess fuel money to where they have been lacking (training, firearms, etc.) at the request of the Finance Committee. Selectman MacDonald said we need to diminish discretionary spending; we need a different approach to get the budget down. Ms. Dembkoski said when you look at the budget there is not a lot of discretionary spending; we have health insurance, property & casualty insurance, and Workers Comp premiums. Those are things that are not discretionary and a large part of the budget. Looking at departments, is it all salary. There is minimal discretionary spending at the town hall, it is contractual, paper, toner, etc.; they use centralized machines; there is only so much you can cut on the departments. The Finance Committee is beginning to meet on Monday, February 1st; if they come to us, the process should be defined. Chair Dunn would like them to come in. Selectman D'Amore would like to hold off. Last year the Finance Committee expressed to us what their needs were in terms of not only in timeliness of information but how it was delivered. He said Ms. Dembkoski and the Finance Committee did a fine job of establishing their communication link. The Finance Committee will come to us when they are ready. Chair Dunn will ask if they would be available to come to the February 22nd BOS meeting to give an update of where things stand. Selectman Watson said we can be proactive to make sure they are getting the information they need; he wants to make sure they have what they need to make the right decision. Ms. Dembkoski said the board should start looking at contract negotiations sooner than later.

Open Town Meeting Warrant – Ms. Dembkoski said the deadline to submit articles is March 15th, the board will vote on them on April 4th, they will be posted on April 11th. She did some calculations on mailing the warrant to all homeowners and not sure if that is the best approach. She suggested putting an insert in the April 1st tax bills noting the important town meeting dates and a link to the website. She will draft the insert

for the board. Selectman Wood made a motion to formally open the warrant; Selectman Watson seconded; voted 5-0-0.

VOTES OF THE BOARD:

Selectman Wood made a motion to approve the December 28, 2015 Meeting Minutes; Selectman D’Amore seconded; voted 4-0-1; Selectman Watson abstained.

OLD BUSINESS (Unfinished Business):

Ms. Dembkoski said the Community Compact agreement was signed. It was created by the Governor to help municipalities as long as communities committed to best practice ideas; it is a two-year commitment. She applied for Information Technology, Financial Management and Regional Shared Services. She met with Merrimack Valley Planning to see what they can share, e.g., procurement or group purchases. Groveland was #113 and #114 to sign the contract which will now benefit the town when applying for state grants.

Chair Dunn said he received an email from the Fire Department saying one of the squad trucks was out of service due to a major problem. After a poll with the members, Chair Dunn emailed the Chief asking that the truck be fixed. As of today, it has been fixed and back in service.

Chair Dunn said the Fire Chief made a decision that the grills be put back. The Chief agreed with the rules that were suggested and added one that said “you must be 18 years or older”. He also included a permit he wants filled out before they can light a fire. The Chair thanked the Fire Chief and the Fire Department for their decision. Selectman Watson said the Boy Scouts could do the maintenance to keep the pathway clear and clean the pine needles out three times a year. People are going to have to make an effort if they want it to remain permanent. Selectman D’Amore said it still needs Conservation approval and asked for the board’s consensus to go to their meeting to present the rules to them and petition them to reconsider their vote. The Conservation Commission is a sovereign entity and we have to allow them to have the final say. The board agreed; he will attend the February 10th Conservation meeting.

CORRESPONDENCE TO BE REVIEWED:

1. Minutes from January 11, 2016
2. Executive Session Meeting Minutes from January 20, 2016
3. Letter from the Water & Sewer Commission regarding the Electric Light Building – Chair Dunn said the building did not meet the needs for the elderly. He thinks it would be a good fit for the Water Department, freeing up space which is desperately needed in the town. Selectman MacDonald would like more discussion; would it affect our water rates? Ms. Dembkoski said the town owns the land and the Light Department has the building. Their plan is to turn over the building to the town; the BOS would have care and custody. Selectman D’Amore said we would be getting a building that needs to be maintained and only receiving \$35K/year from the Light Department. We don’t know the costs associated to maintain it, fix it, etc. Ms. Dembkoski said we need to talk to them about it. It will be a year before they vacate the building; they will be asked to come to the board possibly in March to explain their intent.

FINANCE DIRECTOR’S TIME – Items were covered earlier this evening.

SELECTMEN’S TIME:

Selectman MacDonald spoke about the school departments’ budget which is approximately 62% of the total budget. He would like to see the School Committee meetings on the cable channel. The report card for the Bagnall School ranks the school percentile across the state, compared to schools that serve the same or similar grades, at 51 percentile. He thinks the BOS should take a leadership role and communicate with them. For the \$10 million that is paid, he wants better results. Selectman D’Amore suggested contacting MaryAnn Naffa to be put on the agenda to ask how the number was derived, how it is attributable to the Bagnall School, and why there is disparity between the schools in West Newbury. He said the best source of the information is the Superintendent. Ms. Dembkoski will invite the Superintendent and the Groveland School Committee Delegation to attend a meeting.

Selectman Watson said a complaint was made about Georgetown school buses parked at Valley Tree; he would like the Police Department to look into it. If they are being garaged there, we should be benefiting with excise tax. There are other commercial vehicles being parked in different areas. Buses are parked at the Light Department and behind the Police Station; the excise bills go to the bus company. Ms. Dembkoski was told it was for convenience for the bus drivers to have them accessible in town. Buses were stopped from parking at Washington Park.

Michael Callan (799 Salem Street) said Stevenson Way is misspelled. It is “Stephenson” Way; it was named for Henry and Caroline Stephenson. He is hoping the sign can be taken down and replaced with the correct spelling. Ms. Dembkoski will speak with the Highway Department. Mr. Callan said the board was great.

The next meeting will be held Monday, February 8, 2016 at 6:30 p.m.

Selectman Wood made a motion to adjourn; Selectman Watson seconded; voted 5-0-0. The meeting was adjourned at 9:37 p.m.

**** Unanimously approved on February 22, 2016 ****