



Approved January 17, 2023

BOARD OF SELECTMEN
Meeting Minutes
Monday, December 5, 2022
Groveland Town Hall
183 Main Street, Groveland, MA 01834

This meeting was in-person and also broadcast live on Groveland Public Access, Channel 9, as well as through Microsoft Teams virtual meeting software for remote access.

Present: Chair Ed Watson, Selectmen Kathleen Kastrinelis, Jason Naves, Mark Parenteau, Daniel MacDonald.
Rebecca Oldham, Town Administrator

CALL MEETING TO ORDER – Chair Watson called the meeting to order at 6:30 pm.

PUBLIC HEARING – 6:30 PM – Board of Assessors – Tax Rate

- Julie Yebba, Assessing Manager was present and addressed the Board. This is an annual hearing. It is preferred to maintain a single tax rate. Values have increased significantly; the market is driving the values. Selectman MacDonald did not want to add a burden to the business owners. Chair Watson spoke in favor of keeping the single tax rate.

Public Input: Brad Ligols, a resident who is also a local business owner asked the Board to consider offering a tax break to attract more businesses to come to Groveland.

A motion was moved by Selectman Kastrinelis and seconded by Selectman Parenteau to approve the factor of 1.00 single tax rate for FY24. Voted: 5-0.

PUBLIC COMMENT: *Written submissions for public comment must be made before the start of the meeting per the Board of Selectmen's Public Comment Policy amended November 13, 2017. None.*

APPROVE WARRANTS:

PW # 23 \$209,864.42

A motion was moved by Selectman Naves and seconded by Selectman Kastrinelis to approve warrant PW #23 in the amount of \$209,864.42. Voted: 5-0.

BW# 23 \$1,578,995.26

A motion was moved by Selectman Naves and seconded by Selectman Kastrinelis to approve warrant BW #23 in the amount of \$1,578,995.26. Voted: 5-0.

APPROVAL OF THE MINUTES: None.

APPOINTMENTS OF THE BOARD: None

VOTES OF THE BOARD:

DISCUSSION & POSSIBLE VOTE:

- Town Administrator Bylaw – Joe D'Amore and John Osbourne
 - Disband Town Government Study Committee -Selectman MacDonald:
Neither Joe D'Amore nor John Osbourne were present. Selectman MacDonald asked for this to be on the agenda and noted that the draft bylaw was not approved at Town Meeting; we have a Town Administrator now, their job is done. Anything further is beyond the scope of the

committee. Selectman Naves noted that the bylaw is intended to define the role of the Town Administrator. Selectman Kastrinelis clarified that Town Meeting never voted on the Bylaw. Selectman MacDonald felt it was a waste of time and premature to bring this bylaw to Town Meeting. Selectman Naves did not feel it was not premature to plan ahead for this. Chair Watson asked for a copy of the original charge; TA Oldham provided a copy in the BOS packet. Chair Watson read the essential charge and agreed with Selectman MacDonald and supported disbanding the Committee. Selectman Kastrinelis did not support disbanding the Committee. Selectman MacDonald thanked the Committee for a job well done. Selectman Parenteau stated that this all started before he was on the Board, and he would like one more week to do some research.

A motion was moved by Selectman MacDonald and seconded by Chair Watson to terminate the Town Government Study Committee. No vote taken.

A motion was moved by Selectman Parenteau and seconded by Selectman Kastrinelis to table this until the next meeting. Voted: 5-0.

- 2) Nelson Street Storage Conservation Restriction – Brad Ligols & Conservation Commission:
Mike Dempsey was present and addressed the Board. The Conservation Commission will be in charge of enforcing the terms of the Conservation Restriction. The State requires a vote of the BOS. Selectman Naves read a letter from the Town Planner/Environmental Coordinator. There are endangered turtles on a portion of the land and that is where the CR will be (1.7 acres). The area will not be accessible to the public. Brad Ligols addressed the Board and stated this is priority habitat and understands that this vote is a formality, and he supports this measure.

A motion was moved by Selectman Kastrinelis and seconded by Selectman Naves to accept the Conservation Restriction at 833 Salem Street as presented tonight by the Conservation Commission. Voted: 5-0.

A motion was moved by Selectman Kastrinelis and seconded by Selectman Parenteau to allow the Chair to sign on behalf of the Board. Voted: 5-0.

- 3) Fiscal Year 2024 Capital Improvement Plan:
TA Oldham reviewed the progress that has been made since the last time the BOS discussed this. There are three different scenarios in the packet for the Board's consideration tonight. Borrowing and/or bonding is not recommended at this time. Selectman MacDonald asked for a summary of each scenario and also a recommendation. TA Oldham provided an overview of the scenarios and recommended either scenario two or three. Selectman Kastrinelis would like to hear from the Financial Board on this plan.

A motion was moved by Selectman MacDonald and seconded by Selectman Parenteau to table this until the next meeting. Voted: 5-0.

- 4) Financial Policies:
TA Oldham updated the Board – this was reviewed at the last meeting. Upon further review it does not appear that the town would be bound to anything in this document but rather it is a guide and is a great tool for internal use. TA Oldham recommends having these Financial Policies in place, the Auditors usually make comments about the fact that the Town does not have these policies in place.

A motion was move by Selectman Kastrinelis and seconded by Selectman Naves to accept the Financial Policies as presented by the Town Administrator. Voted: 5-0.

- 5) Implement Fee for the Dog Park -Selectman MacDonald
Selectman MacDonald spoke to this and noted that he is not in favor of fees but wondered if there was anything put in place regarding who would be maintaining the dog park. If there is not a maintenance fee built in this should be discussed. Selectman Naves responded and noted that initially he had looked

into charging a fee; he is in favor; however, the Town Clerk would be responsible for this and when he spoke to the Town Clerk about this the response was this would be an impossible task. Chair Watson felt this would be hard to enforce. Currently, volunteers pick up the trash and drop it off at the Pines, according to Selectman Naves. Selectman Naves will follow up with the Town Clerk.

TOWN ADMINISTRATOR'S TIME:

TA Oldham reported:

- Free cash was certified.
- The Auditors are in Town Hall.
- Thank you to the Fire Department for hosting Santa.

SELECTMEN'S TIME & REPORTS: *Time to be used to make statements, propose future agenda items, or congratulate residents/teams on accomplishments; this time should not be used to initiate a discussion.*

- None.

OLD OR UNFINISHED BUSINESS:

- 6) Board of Selectmen Policies and Procedures – Selectman Kastrinelis

Selectman Kastrinelis reported that she has forwarded information to Selectman MacDonald for review.

A motion was moved by Selectman Naves and seconded by Selectman Kastrinelis to table the BOS Policies and Procedures until after budget season. Voted: 5-0.

Selectman Kastrinelis also reported that she drafted a letter to the School Committee and shared the draft letter with the Board – this is not a final document, and this may change.

OTHER ITEMS NOT REASONABLY ANTICIPATED AT TIME OF POSTING:

- Selectman Naves has been doing a lot of research on the Senior Circuit Breaker Tax break and encouraged seniors to review and send letters to their Representatives.

CORRESPONDENCE:

- November 7, 2022, Board of Selectmen Meeting Minutes
- November 21, 2022, Board of Selectmen Meeting Minutes

Roll call into executive session

EXECUTIVE SESSION:

- In accordance with M.G.L. c. 30A, sec. 21(a)(1) – to hear complaints and/or charges against a public employee/official.

A motion was moved by Selectman Naves and seconded by Selectman MacDonald to enter Executive Session.

Discussion:

Selectman Kastrinelis had concerns about this agenda item. There is no information in the packet – there is only an email from the Principal at Bagnall School; there is no formal complaint. Selectman Kastrinelis asked to postpone this discussion while her questions are answered by the Town Attorney. Selectman MacDonald responded that this is documented on the recording, feels it has merit, it is clear on its face and does not feel that this will require a formal grievance. Selectman Kastrinelis did not see anything that rises to the level of Executive Session and urged caution.

Roll call into Executive Session: MacDonald; yes, Parenteau; yes, Naves; yes, Watson; yes, Kastrinelis; no.

The BOS meeting went off the air and returned:

Bill O'Neil was present and waived his right to Executive Session to discuss a complaint about his behavior during a recent Recreation Meeting.

Selectman MacDonald asked for this to be on the agenda; he watched the meeting and was very concerned with Mr. O'Neil's comments at the November 16th, Recreation Meeting. Selectman MacDonald asked for the Town Administrator to play the recording. TA Oldham played the recording – audio only – without video.

Selectman Kastrinelis asked Selectman MacDonald and Chair Watson to share the allegation. Chair Watson responded that it was the attitude, the comments that weren't called for and it was way over the top, it was an embarrassment, and it shouldn't have happened. Selectman Kastrinelis noted that this has been an ongoing issue with the Bagnall School Principal and the summer program Administrator; it was not a cooperative relationship in January, but she thought this was resolved.

Bill O'Neil explained that he was upset that the agreement was not honored; Bill has been dealing with this since 2015. Bill noted he would not change anything that was said.

Selectman MacDonald stated that if Bill feels that he was slighted, then he has a right to express it. However, the reason we are here tonight is that Bill feels he is justified in using the spit language and Selectman MacDonald does not feel he is justified. Selectman MacDonald stated that this is a limited public forum, and you have to maintain levels of decorum and thinks Bill crossed the line with the level of rhetoric. Bill O'Neil responded this is not a difference of opinion – there was an agreement, and the agreement was broken.

Selectman Kastrinelis felt it was somewhat disingenuous of the BOS to talk about decorum at a meeting – the first step of setting a code of conduct should start with the BOS.

Selectman MacDonald responded things are political and Kat K can talk a good game when she brings a pile of procedures in here but there are rules for some people and there are rules for the rest of us. Selectman MacDonald stated that he voted against appointing Bill O'Neil to the Recreation Committee. Selectman MacDonald appreciates Bill's passion and knows he cares but the end doesn't justify the means. Selectman MacDonald is against this and if the rest of the Board wants to do nothing about this because it is Kathy's friend and that's how Kathy works.

Selectman Kastrinelis called a Point of Order and told Chair Watson to either control the meeting and tell Selectman MacDonald to stop taking personal attacks on her, making up in his mind his own little stories, which he does, or she was filing a complaint; the Chair needs to take responsibility for conducting this meeting.

Bill O'Neil noted that getting his attention is easy if you pick on the young or the old. There is bias here; anyone can see this. None of this affects him personally, it is affecting the children.

Chair Watson noted that not every agreement is solid, they are broken for unforeseen reasons; this seems to be the case here – Chair Watson read some of the concerns in the email. Bill O'Neil responded that he did not feel that the things that were brought up were accidental. Bill O'Neil noted that he didn't name one person at the meeting.

Selectman MacDonald state that this Board appointed Bill and they are accountable to the electorate; Selectman MacDonald stated he voted against appointing Bill because he thinks the way that Bill approached this situation is ineffective, it is not productive, and is toxic within that Committee; he does not know if other people are intimidated, but Bill is way too head strong on it. Bill responded that Selectman MacDonald is an absolute genius and for teller because he voted against him before the Recreation Meeting happened.

Selectman Naves noted that when Bill says he just insulted the School, Mr. Day represents the School, and he took that personally. When Bill said they intentionally disrupted the summer camp, Mr. Day took that personally that is why he wrote the letter. Selectman Naves did not think any of it was done in a professional or constructive manner or becoming of any board member. Bill responded by asking how many years Selectman Naves had been involved with this conflict and Selectman Naves responded none.

Selectman Parenteau stated that he voted for Bill O'Neil for the Recreation Committee, but it is more of the delivery. Bills' attitude is concerning and Selectman Parenteau would change his vote if he could. There is a better way to handle this type of conflict.

Selectman Kastrinelis felt a lot of time was spent on this and feels that time would be better served to make sure the Summer Camp has the resources they need; there is a space issue.

Selectman MacDonald stated to Bill; in summary that Bill feels he did nothing wrong, and he is justified in what he said and how he did it and going forward you would do it again under the same circumstances. Bill O'Neil responded that he would call out anyone, anywhere that is seemingly taking advantage of the young or the old, that is in his DNA, he cannot stand by to see them abused or exploited in any way shape or form.

A motion was moved by Selectman MacDonald and seconded by Selectman Parenteau to remove Bill O'Neil from the Recreation Committee for lack of demeanor and just crossing the line in using rhetoric in the meeting for those reasons specifically. Voted: 3-2. Selectmen Naves and Kastrinelis voted against.

ADJOURNMENT:

A motion was moved by Chair Watson and seconded by Selectman Parenteau to adjourn the meeting. Voted: 5-0.

Respectfully submitted,

Katherine T. Ingram

The next regularly scheduled meeting of the Board of Selectmen will be Monday, December 19, 2022, at 6:30PM.

23-23 BILLS WARRANT BREAKDOWN:

Town:	\$ 33,138.03
W/S:	\$ 81,322.58
Payroll Withholding:	\$ 38,878.04
Health Insurance:	\$
Light Bills:	\$ 172,122.33
Grants & Revolving:	\$ 125,307.36
Chapter 90:	\$
Pentucket Assessment:	\$ 1,032,639.92
Essex Tech Assessment:	\$ 95,587.00
Whittier Assessment:	\$
Capital:	\$