



BOARD OF SELECTMEN
Meeting Minutes
Monday, December 19, 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 Daniel MacDonald, Mark Parenteau, Jason Naves, Kathleen Kastrinelis.
Rebecca Oldham, Town Administrator

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

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 # 23-25 \$176,346.19

A motion was moved by Selectman Naves and seconded by Selectman Parenteau to approve Warrant PW #23-25 in the amount of \$176,346.19. Voted: 5-0.

BW# 23-25 \$572,941.40

A motion was moved by Selectman Naves and seconded by Selectman Kastrinelis to approve Warrant BW# 23-25 in the amount of \$572,941.40. Voted: 5-0.

APPROVAL OF THE MINUTES:

- 1) November 7, 2022, Board of Selectmen Meeting Minutes:

A motion was moved by Selectman Naves and seconded by Selectman Kastrinelis to approve the November 7, 2022, Board of Selectmen Meeting Minutes. Voted: 4-0-1. Selectman Parenteau abstained.

- 2) November 21, 2022, Board of Selectmen Meeting Minutes:

A motion was moved by Selectman Kastrinelis and seconded by Selectman Parenteau to approve the November 21, 2022, Board of Selectmen Meeting Minutes. Voted: 4-0-1. Selectman Parenteau abstained.

APPOINTMENTS OF THE BOARD:

- 3) Appointment of John Souza of 4 Patriot Lane Georgetown, to Senior Highway Laborer for the Groveland Highway Department. The position is for 40 hours per week at a rate of \$27.26/hour contingent upon a successful CORI.

Chair Watson noted the paperwork was in the packet. There is a recommendation by the Highway Superintendent.

A motion was moved by Selectman Naves and seconded by Selectman Kastrinelis to appoint John Souza of 4 Patriot Lane Georgetown, to Senior Highway Laborer for the

Groveland Highway Department. The position is for 40 hours per week at a rate of \$27.26/hour contingent upon a successful CORI. Voted: 5-0.

DISCUSSION & POSSIBLE VOTE:

4) Presentation from Division of Local Service - Financial Management Assessment, Financial Indicators and Forecast:

Frank Gervasio and Zach Blake joined the meeting via Microsoft Teams and provided an overview of the Financial Indicators Analysis that was performed for Groveland. There were audio issues.

- These are the 7 high-level recommendations:

1. Provide a comprehensive review of the Town Bylaws. The Treasurer/Finance Director is still on the books and that should be brought in line with current Town Administrator model. It would be helpful to provide accountability and clarity around the role and responsibilities of the TA.
2. Financial policies.
3. Transition the Board of Assessors from an elected to appointed Board. Offer a stipend.
4. Implement a goal setting process for the BOS and Town Administrator. Long and short – term objectives.
5. Town Staff hold quarterly financial presentations.
6. Reactivate and consider reorganization of the towns Capital Planning Committee.
7. Consider part-time clerical staff to support department heads that are in some cases a one-person department especially the TA office.

Selectman MacDonald asked about the Board of Assessors; Frank responded that MA is finding it increasingly difficult to find people to fill the elected seats for this important technical function; the Assessing Managers needs the BOA's support.

Selectman Kastrinelis noted a vacant position on the Board of Assessors for about five years. Chair Watson asked if the BOA have to be certified to be an Assessor. Frank and Zach noted there are courses online for them to take.

Selectman MacDonald asked if the State Statute is adequate for the TA. Frank responded that Towns tend to modify the description. The most important thing surrounds the financial and budgeting responsibilities; this should be spelled out to provide total clarity. Selectman MacDonald noted the Town negotiated a contract with the TA which spelled out the terms and conditions and asked if this is sufficient. Frank responded without a bylaw over time things become less clear. The BOS will change, and the TA will change, and priorities may shift as well. Zach noted that the Bylaw would set a broad guardrail while the job description provides flexibility, and the negotiation of a contract should be working together; the Bylaw is not intended to work on its own these things should work in tandem with each other to help define the roles and responsibilities. The Bylaw does not to be at a micro level but more of a macro level. Selectman Naves asked how pivotal it is having a TA Bylaw in retaining and recruiting a TA. Frank responded that a Bylaw could be something a job seeker will be looking for to determine if this position is a "strong" vs. "weak" TA position.

- Financial:

A five-year financial forecast was forwarded to the BOS with a Financial Indicators Workbook. This is a base-line for Groveland to build off of.

5) Public Hearing for Voting Options and Transfer Request, Votes Act of 2022 - Town Clerk:

Beth Cunniff, Town Clerk was present and addressed the Board. The Board does not need to take any action if they agree with the State Law. Beth noted the Board can vote to have in person early voting and they can opt out of mail-in voting.

Selectman MacDonald expressed concerns with vote by mail. Clerk Cunniff explained that only one ballot can be counted per register voter. Selectman Naves asked if the signature is compared to the voter registration – and Town Clerk Cunniff responded that it is compared to the mail in application which is more current. There has not been any funding to pay for the cost of mail in voting. There would still be absentee voting available for those out of town, unable to come to the polls or because of religious beliefs. Mail in voting is essentially no excuse voting. There would need to be a public hearing at least 45 days prior to the election and a vote by the BOS to opt out. Unlike the State, the local level is not required to send out an application to all voters. The election turnout in November was higher than it was four years ago. Selectman Kastrinelis is in favor of allowing more people opportunities to vote and asked if we are ready to hold a Public Hearing – the Town Clerk provided information. Town Clerk Cunniff noted consistency for the voters would be a reason to offer the mail-in voting. Town Clerk Cunniff noted that there is a check and balance in place. Selectman Kastrinelis asked what the criteria would be for a Public Hearing. Selectman MacDonald asked if this could be brought to Town Meeting – Town Clerk Cunniff noted that is a great idea, but this would not be in time for this year. Selectman Naves felt this was the intent of a Public Hearing. Selectman Kastrinelis noted some of the people that vote by mail might not be able to come out to a Public Hearing. Selectman Naves responded that Zoom is an option and though he does not agree with Selectman MacDonald he feels mail in voting is safe but does agree with holding a Public Hearing – these are not our decisions to make this decision is for the voters to make. Selectman MacDonald would like to delegate the decision to the voters.

A motion was moved by Selectman MacDonald and seconded by Selectman Parenteau to schedule a Public Hearing to discuss mail-in ballot and the possibility of opting out.

Voted: 4-1. Selectman Kastrinelis voted against.

Inge Buerger, 5 Pinewood Lane was present and addressed the Board and stated she was shocked that this Board would even consider taking away the mail in vote option – this is nonsense – it has been proven that is not fraudulent.

Joe D'Amour was present and addressed the Board and suggested an online survey.

6) Town Administrator Bylaw – Joe D'Amore:

Joe D'Amore was present and addressed the Board and explained the reasons for having a TA Bylaw. The Bylaw would leave the BOS to Governance and enable (not empower) the TA to the day-to-day activities. Joe recommended an implementation team (Finishing Committee) consisting of two BOS members, Joe and the TA to work through the document that is in draft form. A standard needs to be set for future recruiting purposes.

Selectman Kastrinelis apologized for calling Selectman MacDonalds idea to disband the Government Study Committee stupid. Selectman Kastrinelis had a broader concern that DLS noted tonight and would like to review all the Towns Bylaws. Selectman MacDonald asked if Joe felt the BOS have too much power over the TA and Joe responded no it is not too much power but power in the wrong places. Selectman MacDonald asked about litigation. Joe responded that the TA could only make any decisions with the consent of the Board. Selectman MacDonald wants the BOS to retain the power and doesn't think the system is broken. Joe responded that the next Board might see things differently and that is concerning. Selectman MacDonald asked if Joe looked at the TA contract compared to the list Joe read tonight. Selectman MacDonald feels this might be premature, we are only six months into the new TA position. There is no target date until completion. Selectman Naves clarified that it has been

almost one year since the TA was hired. Chair Watson asked why not reduce the number of BOS members to three since the only duty listed is to hire a TA.

A motion was moved by Selectman Naves and seconded by Selectman Parenteau to put together a Finishing Committee with Selectman Naves, Selectman MacDonald, Joe and TA Oldham to study the Bylaw with an amendment to also look at the TA Contract. Voted: 4-0-1.

A motion was moved by Chair Watson and seconded by Selectman MacDonald to amend the motion to have the Finishing Committee also look at the TA Contract. Voted: 3-1-1.

Selectman Kastrinelis voted against, and Selectman Naves abstained.

Selectman Kastrinelis was concerned with the Committee picking the TA Contract apart and felt that a sub-quorum of this Board meeting to discuss the TA Contract is improper. Selectman MacDonald agreed with Selectman Kastrinelis on this. Selectman suggested Joe review the TA Contract, it is public record and then it should go to Town Counsel to see if it should wait. Selectman Kastrinelis asked for reports back to the BOS.

7) Fiscal Year 2024 Capital Improvement Plan:

TA Oldham presented the three scenarios that are proposed. This was tabled at a previous meeting. TA Oldham recommends scenario 2.

A motion was moved by Selectman Kastrinelis and seconded by Selectman Naves to approve Scenario 2 as presented. Voted: 5-0.

8) Update on the Collins Center Wage Classification and Compensation Study

TA Oldham followed up with the Collins Center; they have finished the job descriptions but not the Wage Classification.

VOTES OF THE BOARD:

9) Vote to approve and sign the following Liquor License Renewals:

(vote to be contingent upon receipt of all required paperwork)

- *Rte. 97 Liquors – 908-D Salem St., Package Store All Alcohol*
- *Groveland Market – 1 Washington St., Package Store All Alcohol*
- *Gerry's Variety – 15 Elm Pk, Package Store All Alcohol*
- *Nichols Village – One Nichols Way – Club License*
- *Pub 97, 935 Salem St. – Restaurant License*
- *Tea Garden, 904 Salem St. – Restaurant License*
- *Cedardale Swim Club, 20 Bare Hill Rd. General on premise License*
- *Groveland Fairways, LLC, 156 Main St., General on premise License*

A motion was moved by Selectman Kastrinelis and seconded by Selectman Parenteau to approve the listed Liquor License Renewals contingent on receipt of the required paperwork. Voted: 5-0.

- *Nierod's, Inc., 192 Main St., Package Store All Alcohol*

A motion was moved by Selectman Kastrinelis and seconded by Selectman Naves to approve the Liquor License Renewal for Nierod's, Inc., 192 Main St., Package Store All Alcohol contingent on receipt of required paperwork. Voted: 4-0-1.

10) Vote to approve and sign the Class II Used Car License Renewals:

(vote to be contingent upon receipt of all required paperwork)

- Quick Service Transportation Corp., d/b/a Quick Auto Center, 737 Salem Street
- Greenwood Auto Body, Richard Alan Greenwood, 863 Salem Street
- Groveland Auto Repair and Sales, Inc., 944 Salem Street
- Auto Repairs Etc., 923 Salem Street

A motion was moved by Selectman Kastrinelis and seconded by Selectman Naves to approve the Class II Car License Renewals contingent on receipt of all required paperwork. Voted: 5-0.

11) Vote to approve and sign the following Common Victualler License Renewals:

(vote to be contingent upon receipt of all required paperwork)

- Nichol's Village, One Nichol's Way
- Terry Clifford, T&B Clifford, d/b/a Pub 97, 935 Salm Street
- J & S Restaurant Corp, d/b/a Tea Garden Restaurant, 904 Salem Street
- Cedardale Swim & Tennis Club Groveland, Inc, 20 Bare Hill Road
- Robert Arakelian, d/b/a Groveland Fairways, 156 Main Street
- Ultimate Perk Coffee Co Inc, 921 Salem Street
- NexDine, LLC d/b/a NexDine at Chesterton Cafe, 860 Salem Street
- Riverside Pizza, Zehra Mirzai, 180 Main Street
- Pentucket Regional School District, 253 Main Street
- Conservation Commission, d/b/a Veasey Memorial Park, 201 Washington Street
- F & M Co, LLC, d/b/a Your Place and Ours, 8 Elm Park
- Pizza Grove, LLC, 990 Salem Street
- Jeff and Maria's Ice Cream & Food, 928 Salem Street

A motion was moved by Selectman Kastrinelis and seconded by Selectman Naves to approve the list of Common Victualler License Renewals contingent on receipt of all required paperwork. Voted: 5-0.

12) Accept the resignation of Robert Fitzgerald as part-time van driver for the Council on Aging effective December 15, 2022.

A motion was moved by Selectman Kastrinelis and seconded by Selectman Naves to accept the resignation of Robert Fitzgerald as part-time van driver for the Council on Aging effective December 15, 2022. Voted: 5-0.

TOWN ADMINISTRATOR'S TIME:

TA Oldham reported:

- that the Fire Department has been awarded a \$15,000 grant for safety equipment.
- we received a \$32,000 grant from the Massachusetts Office on Disability for accessibility upgrades at Town Hall and the Public Safety Building.
- Lana Desrosier has been appointed as the School Committee Liasion. She will attend a future BOS meetings. This is an important step towards opening up the lines of communication between the BOS and the SC.
- the Fire Chief has let TA Oldham know that there will be blasting taking place at 150 Center Street in relation to the sewer construction project – 24-hour notice will be given. There will be a fire detail on sight.

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.*

Selectman Kastrinelis: attended the Pentucket Jazz Café; wanted to take a moment to wish everyone a happy holiday.

Selectman MacDonald: attended the basketball game in the new gym, it was a good game; wished everyone a happy holiday.

Chair Watson: attended the Santa ride, it was a good show.

OLD OR UNFINISHED BUSINESS

- Selectman Kastrinelis noted that the 46 Washington St, survey has been put on hold.

OTHER ITEMS NOT REASONABLY ANTICIPATED AT TIME OF POSTING

CORRESPONDENCE

- December 5, 2022, Board of Selectmen Meeting Minutes

ADJOURNMENT:

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

The next regularly scheduled meeting of the Board of Selectmen will be Tuesday, January 3, 2022, at 6:30PM.

Respectfully submitted,

Katherine T. Ingram

23-25 BILLS WARRANT BREAKDOWN:

Town:	\$ 212,493.49
W/S:	\$ 62,653.93
Payroll Withholding:	\$ 28,052.34
Health Insurance:	\$
Light Bills:	\$ 88,341.40
Grants & Revolving:	\$ 181,400.24
Chapter 90:	\$
Pentucket Assessment:	\$
Essex Tech Assessment:	\$
Whittier Assessment:	\$
Capital:	\$