

*BOARD OF SELECTMEN  
MEETING MINUTES  
Monday, May 4, 2020  
Groveland Town Hall,  
183 Main St, Groveland, MA 01834*

TOWN OF GROVELAND

2020 SEP 30 PM 5: 06

TOWN CLERK  
RECEIVED/POSTED

**ATTENDANCE:** Selectmen Kathleen Kastrinelis, Bill O'Neil, Ed Watson, and Mike Wood

**ALSO PRESENT:** Denise Dembkoski, Finance Director

Vice-Chair Watson opened the public meeting at 4:30 pm. The meeting was broadcast live on local government access and via Zoom. Those participating via zoom were Jason Naves and Mike Dempsey

### REORGANIZATION OF THE BOARD

Vice-Chair Watson stated this was Selectman O'Neil's request and asked him to speak on it. Selectman O'Neil stated that since the previous Chair stepped down, the Board hasn't had a formal Chair and he thinks they should. In light of the extension of the election to mid-June the board should reorganize to pick a Chair and Vice-Chair. Ms. Dembkoski stated that the Board always reorganizes at their first Monday meeting in May. Vice-Chair Watson said that it is normally after the election, not necessarily for the first Monday in May. Selectwoman Kastrinelis thought about it since it was asked to be added to the agenda and thinks it is appropriate to vote now, so whomever is selected Chair and Vice-Chair would have the full-year in their roles. Vice-Chair Watson stated that he would assume that the Board would reorganize again after the election, as there will be at least one new member. He stated it is only a month away, but it is whatever the Board wants to do. Selectman Wood has no problem keeping the same schedule and allowing the chair/vice-chair to stay in a full year. He asked if the Board would vote now and then vote again next month?

Ms. Dembkoski stated the Board can reorganize whenever a majority calls for it. Selectwoman Kastrinelis said it is important to vote now because the Board does not have a formal Chair.

Vice-Chair Watson asked how the board wants to proceed. Selectman O'Neil made a motion to nominate Mike Wood as Chair, seconded by Selectwoman Kastrinelis. Vice-Chair Watson had some comments. He stated that he believes personal feelings against him have taken over professionalism and common sense. That's the real reason the board wants to do this. He is opposed to this and has been doing a decent job. It is normally in any position that the Vice-Chair takes over in the absence or vacancy in the Chair position. It seems like the Vice-Chair should have been elevated to chair then a new Vice-Chair would be selected, as indicated in Roberts Rules of Order. Selectman O'Neil asked Vice-Chair Watson if those comments are directed at him or the Board in general. Vice-Chair Watson stated to the Board in general.

Selectwoman Kastrinelis stated that she has not directed any anger or motions against Vice-Chair Watson. She is also not aware of anything in Roberts Rules that moves a Vice-Chair into a Chair role without a vote of the Board. She feels it is the responsibility of the Board to appoint a Chairman. She feels this has been transparent and does not like when board members say things on camera to cast dispersions as it is unfair.

Vice-Chair Watson asked if there were any other nominations, seeing none, he called for the vote. Selectmen O'Neil and Kastrinelis voted in favor, Vice-Chair Watson opposed, and Selectman Wood abstained. The vote carries on a vote of 2-1-1.

Selectman Wood took over the meeting as Chair at 4:40pm. He asked the Board if they still wanted to vote a new Vice-Chair. He asked if there were any motions to nominate Vice-Chair. Selectwoman Kastrinelis stated there is only Bill left as Ed just served for a year, and she may not be on the Board if she doesn't win the

election. So she made a motion for Bill O'Neil to be Vice-Chair. Seconded by Chairman Wood. Selectmen Wood and Kastrinelis voted in favor, Vice-Chair Watson opposed, and Selectman O'Neil abstained. The vote carries on a vote of 2-1-1.

## COVID-19 DISCUSSION

Board of Health Public health nurse, Claire Walsh was in attendance for this discussion. She informed the Board that we are up to 14 cases as of the weekend and one hospitalization. In addition, 4 of the cases are in the health care field, with 3 being nurses and 1 physical therapist. Of the 14 cases, 3 are currently active with 3 houses under known quarantine. Ms. Walsh discussed the area statistics on COVID and the comparison between cities and town.

Chair Wood stated that even though there has been an increase, our numbers are low and people have been doing a good job following the orders.

Selectman O'Neil asked Ms. Walsh if there was anything the Board could do to help her or the BOH with whatever needs to get done? Ms. Walsh said no, she has things under control right now.

Selectwoman Kastrinelis asked Ms. Walsh if this is the most contagious virus she has ever seen in her career. Ms. Walsh said yes, in my career, this is by far the worst. The only thing should could liken this to is polio, but it wasn't this bad.

Ms. Dembkoski informed Ms. Walsh that the funding from the 2<sup>nd</sup> round of the DPH grant came in today. In addition, she advised residents that there may be lag time between them testing positive and Ms. Walsh being notified. Last week there was a 4 or 5 day delay. So if folks are being told they are positive, they should start quarantining immediately, and not wait to hear from Ms. Walsh. Ms. Walsh agreed and stated that was a good thing to remind folks. People often find out they are positive before it shows up in the state MAVEN system.

The Board discussed the Yard Waste Site. Ms. Dembkoski stated that she had spoken to Renny, the Highway Superintendent and they are proposing to open on Saturdays from 8am to 2pm with public works staff working the gate. She would like to have the yard open the next two Saturdays and then we can reevaluate. It would be on overtime for the staff. Selectwoman Kastrinelis asked if there was any way to arrange their schedules, so it wouldn't affect overtime. Ms. Dembkoski stated that we would have to speak to the union if we were not going to provide contractual overtime.

Selectwoman Kastrinelis made a motion to have the Yard Waste Site open on Saturday, May 9<sup>th</sup> and Saturday, May 16<sup>th</sup> from 8am to 2pm and asked everyone to be socially responsible. Seconded by Selectman Watson. The motion passed unanimously.

Ms. Dembkoski presented the proposal from the Groveland Baseball League to perform maintenance at Washington Park. There will be a maximum of 3 people working and all in separate areas to keep the fields in good shape. Selectman Watson said it makes sense and Selectman O'Neil said as long as people don't bring their kids with them. Selectman O'Neil asked if the same considerations could be given to the Pines and the Rec Committee?

Selectwoman Kastrinelis made a motion to accept the recommendation as outlined for Washington Park and the Pines. Selectman O'Neil seconded the motion. Passed unanimously.

The Board adjourned the meeting at 5:17pm. They were planning to convene at 5:30pm in executive session, but the subject of the executive session, Mr. Terry Grim, requested via email at 4:49pm today, that the meeting be held in an open Zoom session.

The second part of the meeting began at 5:30pm. Chairman Wood asked Mr. Grim to confirm that he waived his right to the executive session and wanted the meeting in open session. Mr. Grim agreed.

On the Zoom call were Terry Grim, Mike Dempsey, and Paul Kinch

Mr. Kinch was speaking on behalf of complaints filed by his son, Daniel, regarding a Conservation Commission meeting and statements made by Mr. Grim.

Chairman Wood asked Mr. Kinch if he would like to present his complaint. Mr. Kinch started by reading the Conservation Commission's mission statement: "The mission of the Groveland Conservation Commission is to protect wetlands and natural resources in the town of Groveland through regulations, management, education, and acquisition.

Implement the goals of the Massachusetts Wetlands Protection Act (MGL Chapter 131, Section 40) and the Groveland Wetland Protection Bylaw and Regulations (Groveland General Bylaws Sec 8-19) fairly and consistently.

Regulate activities deemed by the Conservation Commission as likely to have a significant or cumulative effect upon the values of these resource areas, namely, but not limited to, public or private water supply protection; groundwater protection; flood control; erosion and sedimentation control; storm damage prevention; water pollution control; fisheries, shellfish, wildlife and plant species and habitat protection; agriculture; aesthetics; recreation and aquaculture.

Manage all Town conservation lands in order to protect and sustain these natural ecosystems for current and future generations to use and enjoy.

Be an environmental and educational resource for local citizens, groups, organizations, as well as local, State and Federal agencies.

Further the values of a healthy and attractive community by protecting and conserving open space properties in Town through grants, acquisitions, conservation restrictions and land trusts."

Upon attending his second ConCom meeting regarding the development of the 106 King St project, and more specifically the March 11, 2020 meeting. Upon review of the YouTube video of the meeting, his complaints are comprised of the following actions of Mr. Grim.

Point 1, before public questions were allowed regarding the 106 King Street project, Mr. Grim stated arrogantly and dismissively that the ConCom would not be fielding questions regarding spotted owls. His son Dan Kinch response by informing Grim that the commissions authority does include the blanding turtle and not the spotted owl. He feels this is in strict disregard to the ConCom's mission statement

Point 2, after the conclusion of the public hearing, and most of the concerned residents had left the meeting room, Mr. Grim stated that he would resign the ConCom to allow Dan Kinch to join the Commission and it seemed to diminish the designation that the destroyed water resources found on the site of the proposed development. In fact, Mr. Kinch stated that Mr. Grim commented about the water resource area "what's this cold water fishing crap about in Arguila brook (?)".

Mr. Kinch stated at a minimum Mr. Grim should recuse himself from the 106 King Street project, any project concerning Aguila brook, or anything involving the town's aquifer. Based on the mission statement he thinks Mr. Grim should consider resigning. Finally, his last concern was that he fears retaliation for speaking out in this matter.

Chairman Wood turned it over to Mr. Grim to respond. Mr. Grim asked for a few minutes to review his notes and to gather his thoughts on Mr. Kinch's comments.

Mr. Grim stated that he has been on the Conservation Commission for about 17 years and has put in well over 1,000 hours on ConCom work. Over all these years, he has never taken the stipend offered and he always tends to be on the side of rigorous enforcement and is a more conservative voter.

Regarding the statement he made on the spotted owls; we have had people actually come before the Commission several years' (5 or 10) ago, looking for the Commission to weigh in on a matter involved owls and it was not related to the wetlands. So the point he was making was that "we have certain jurisdictional capabilities and the purpose of the meeting on March 11<sup>th</sup> was to setup a determination on what wetlands were in that area, it was not the beginning of a hearing, it was not the notice of intent, just to establish the guidelines for site visits so the Commission should visit the area and determine their jurisdiction, as many projects have aspects involved that are outside the ConCom's jurisdiction. As a result, some of the abutters got a little bit ahead of themselves in trying to lobby for their position.

And yes, after the meeting he did make a comment to Mike Dempsey and what he stated about Dan Kinch was "you need to get him on the Commission." The reason that was said is that I was very impressed with Mr. Dan Kinch's knowledge and passion and his understanding of the Wetlands Protection Bylaw and "I stated I would resign if you could get him on as a Commissioner he knows his, and what I should have said was stuff, and I did not, and I apologize for that but it was really out of respect for the points that he brought up that were very sophisticated."

Mr. Grim stated in response to the accusation of retaliation, that he "wouldn't even know how to retaliate" and as one individual on the Commission, there is very little that would be done to retaliate against someone.

Selectman O'Neil asked Mr. Kinch if after hearing Mr. Grim's response, he still would like to see him resign. Mr. Kinch stated that at a minimum Mr. Grim should recuse himself from this project, as did another member, because he is a neighbor.

Selectman Watson asked Mr. Grim his thoughts on the recusal request. Mr. Grim said if it makes Mr. Kinch happy, that I will recuse myself from this project. But Mr. Kinch should know that he will lose an strong conservation advocate on the Commission.

Mr. Kinch asked the Board of Selectmen to decide how this should proceed and in his opinion, Mr. Grim came across as "not a good Commission member."

The Board discussed Mr. Kinch and Mr. Grim's statements.

Selectman Watson doesn't think it's appropriate to have Mr. Grim resign or recuse himself from any other conservation matters.

Selectwoman Kastrinelis felt that Terry's offer to recuse himself from the 106 King St project seemed sincere. She believes there was no intent to cause harm or undermine the public trust of the work of the Commission. She also wanted to caution all ConCom members to be cautious of the microphones and try not to have overlapping conversations.

Chairman Wood agrees with Selectman Watson. There is no reason Mr. Grim should recuse himself from any other project, nor should he be asked to resign. Selectman O'Neil concurs, he could only see him recusing himself from the 106 King St project.

Selectwoman Kastrinelis also wanted to recognize Mr. Grim's years of service and she feels it should be left up to him to decide if he should recuse himself from 106 King St or not.

Mr. Grim stated that he's not going to say he'll recuse himself and not do it. Selectman O'Neil feels the Board should take Mr. Grim at his word and not take any formal votes.

All Board members concurred.

Selectman O'Neil made a motion to adjourn the meeting at 6:21pm. Seconded by Selectman Watson. Unanimously approved.

*Respectfully submitted,*  
*Denise M. Dembkoski*