

BOARD OF SELECTMEN
MEETING MINUTES
Monday, March 18, 2019, 6:30 pm
Groveland Town Hall
183 Main St, Groveland, MA 01834

ATTENDANCE: Chair Bill O’Neil and Selectmen Bill Dunn and Michael Wood
Assistant Treasurer/Collector Kaitlin Gilbert

ABSENT: Selectman Ed Watson

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

RESIDENT/PUBLIC COMMENTS:

- None

APPROVE WARRANTS:

PW # 19-37 \$ 159,899.19

A motion was moved by Selectman O’Neil and seconded by Selectman Wood to approve PW #19-37.

Voted 3-0-0.

BW # 19-37 \$ 666,859.74

A motion was moved by Selectman O’Neil and seconded by Selectman Wood to approve BW #19-37.

Voted 3-0-0.

19-37 Bills Warrant Breakdown:

Town: \$ 69,584.64

W/S: \$ 56,910.48

Payroll Withholding: \$ 3,956.21

Light Bills: \$ 272,779.16

Grants & Revolving: \$ 27,877.85

Chapter 90: \$ 10,637.40

Whittier Assessment: \$ 129,788.00

APPOINTMENTS: None

DISCUSSION & POSSIBLE VOTE:

- Historical Society's Annual Report
Linda Friel, 12 Bear Hill Road represented the Historical Society and addressed the Board to provide a brief annual report of the number of people and events that have taken place during the last year. The Society has been working on a website which should be up and running in April or May. Selectman Wood asked about bringing antiques/old items in his attic and if he could bring them to the Society and donate them, Ms. Friel responded that they would take them, they are open 1:00 pm – 4:00 pm every Sunday. Chair O’Neil asked about the difference between the Historical Society and the Historic Commission; Ms. Friel explained that the Historical Society is not part of Groveland’s Government and the Historical Commission is part of Groveland’s structure. There are members, interested in history that are involved on both committees. The Historical Commission is not really active but does apply for grants through the state. The Historical Society has its own funds that come from two rented houses and the rest is raised by events, charitable and private donations; money is spent on building maintenance and stipends for programs.
- Continued discussion of the Personnel Procedures Manual
The Board discussed items reviewed last meeting; The Board discussed keeping the current policy for present employees and using an updated policy for new employees. Selectman Dunn would like to consider a policy for present employees vs. new employees for the PTO; the Town wants to attract qualified employees. Chair O’Neil cautioned that administratively this could be harder to implement/maintain; when the Town gets a good person, we want to do everything we can to retain the person, he doesn’t feel the Town will have trouble attracting people, he worries more about retention.

Selectman Dunn feels the Town treats the employees fairly. The Board discussed PTO and how this would be managed. Discussion was tabled in order to comply with the 7:00 pm scheduled Public Hearing. The BOS continued discussion after the Public Hearing. Selectman Dunn suggested reviewing any changes to pages 1-17. Lynn Stanton, COA Director and member of the Personnel Advisory Board (PAB) addressed the Board regarding pages 1-17. She suggested that paragraph 4 on page 1 be removed; Section B, page 10 there is no legal requirement to post vacancies however the PAB felt they should be posted whether or not there is a legal requirement; page 12, the probationary period, PAB recommends that should be 90 days vs 6 month which is what it is current; PAB feels that employee performance reviews should be done as a managerial tool, realizing it will not be tied to compensation; In the past COLAs have not been withheld for poor performance. Page 15; The PAB sought a way to make the grievance piece more concrete. Ms. Stanton went on record regarding the effort to implement PTO was to attract newer employees while grandfathering the accrued benefits for current employees. Many of the other "boiler plate" items are mandated through state laws. The BOS prefers grandfathering the benefits for the current employees; Chair O'Neil expressed that was never the mission or goal to hurt or take anything away from the current employees. Ms. Stanton; Anyone with 5 years or more could go with either policy and anyone new coming in would only go to the new policy and at some point, everyone will be on the new policy. Ms. Gilbert did not know how many employees with 5 years, or more are here, but will find out. Selectman Dunn feels they need to get through this and decide about grandfathering the current employees and starting the new policy regarding PTO with new employees. Chair O'Neil proposed that PTO is retroactive to the first day after the probationary period is complete not before; the BOS agreed that they should have to wait. If the Town goes to the new policy everyone would get 25 days on July 1st. Ms. Gilbert suggested that the 25 days could accrue every month, the current system could track that and show up on an employee's paycheck. Chair O'Neil will tighten up the language regarding PTO and probationary period and send this to Ms. Gilbert. This will go on the agenda on April 1, 2019.

Public Hearing: 7:00 pm

Chair O'Neil read the Public Notice:

In accordance with MGL Chapter 82, Sections 21 & 22, the Board of Selectmen will hold a public hearing on Monday, March 18, 2019, at 7:00 PM in the Main Meeting Room of Town Hall, 183 Main Street, Groveland, MA, on the proposed road layout of Sunset Circle. Per the petition of GeoAmbient Consultants, Inc. on behalf of Wallace Capital, LLC. The proposed roadway layout is as follows:

Beginning at a point on the northerly street line of Salem Street said point being 311.38' westerly of a Granite Bound with drill hole, thence running North 0ld-52'-30" East 277.49 feet to a point, thence running North 0ld-50'-00" East 59.71 feet to a point of curve to the left with a radius of 65.00 feet 295.98 feet to a point of reverse curvature, thence running along a curve to the right with a radius of 30 feet 42.38 feet to a point of tangency, thence running South 0ld-52'30" West 220.81 feet to a point of curvature, thence running North 89d-58'30" East 74.21 feet to the point of beginning.

Rebecca Oldham, Town Planner was present and addressed the Board: This subdivision was approved by the Planning Board on June 23, 2015 and was formerly called known as Skip Sheehan Way and was changed to Sunset Circle. It is approximately 3.6 acres and resulted in the creation of 3 residential lots. Wallace Capital, the applicant is petitioning the Board to approve the road layout plan. Per MGL the Planning Board approval of the sub-division does not constitute acceptance of the Public Way, there is a specific procedure for this which essentially falls under the jurisdiction of the BOS. The first step is for the BOS to approve the laying out of the road so tonight, the BOS will focus on the road way itself and once they approve this a warrant article is brought forth to Town Meeting to vote to accept it as a Public Way. The BOS will then have 121 days from Town Meeting to accept the rights to the roadway either through easement or eminent domain whichever suits the town best. Updates have been reviewed and vetted by the Planning Board. The Planning Board has concern over one issue which is the fire hydrant that has been installed 7 ½ feet beyond the right of way and is on private property. There is concern if we accept the road

this doesn't give us permission to go onto the property to maintain the hydrant. The developer does not want to relocate the fire hydrant. The Planning Board has withheld some of the money from the performance bond. The Water Commissioners have put together a proposal to move the fire hydrant and could use the withheld monies to correct the situation, however, do not have permission to go onto the private property. The homeowner has been cooperative and agrees with work being done, however when asked to put something in writing allow the work to take place, he was reluctant to do so. Ms. Oldham is hesitant to make a recommendation on behalf of the department to move forward with the laying out until a resolution is complete. Everything else is okay with the layout. Selectman Dunn considered not accepting the layout of the road until the Town gets this in writing; the Town could be liable if something happens while trying to access the hydrant. Selectman Wood asked if there is any idea how this happened; Ms. Oldham; it is not clear but was told that the original developer sold the property and they had laid it out and staked it out and didn't do what they were supposed to do. The estimate to move the hydrant is anticipated to cost around \$10,000. In regard to the easement; Ms. Oldham explained that the homeowner has taken issue with some of the way things were handled during the process by the Planning Board and no longer wanted to work with them. Selectman Wood agreed that this has to be moved in order for the Town to move forward. Melissa Baker, 5 Sunset Circle, the homeowner in question was present and addressed the Board; Selectman Dunn asked her what she is looking for; Ms. Baker responded that her husband is the one who talked with the Water Commissioner; they are comfortable with working with the Water and Sewer Department to re-locate the hydrant, they took issue with the way the Planning Board dealt with concerns that residents brought to the Planning Board. They did not feel they were able to participate in discussions that took place during old business at the PB meetings. The Bakers took the agreement to place the easement back. They are looking for specific dates and times from the Water and Sewer Commission of when they will be on their property. Selectman Dunn asked Ms. Baker if they would be willing to put something in writing to the BOS to give the okay to move forward as soon as the homeowner has something in writing with specific dates and times of work. Selectman Wood recommended giving Ms. Baker an opportunity to talk with her husband and to give the Water and Sewer Commissioners time to put something in writing with specific language of when the work will take place. This will be on the next BOS meeting to approve if everything is completed. Marianne Consoli; 4 Sunset Circle addressed the Board regarding concerns with work that was recently done that caused a problem with her driveway. The BOS responded that since the road is not a public way this is not the Towns responsibility and told her to check with the contractor. Ms. Consoli will be putting in Natural Gas and asked if there would be an issue with her doing this once the road becomes a public way. The BOS responded the gas company will work with the Town.

A motion was moved by Chair O'Neil and seconded by Selectman Dunn to close the Public Hearing at 7:24 pm. Voted 3-0-0.

VOTES OF THE BOARD:

- Minutes from February 19, 2019
A motion was moved by Selectman Dunn and seconded by Selectman Wood to approve the minutes from February 19, 2019. Voted 3-0-0.
- Minutes from February 26, 2019 Special Meeting
A motion was moved by Selectman wood and seconded by Selectman Dunn to approve the minutes from February 26, 2019. Voted 3-0-0.
- Authorize the following ballot questions for the May 6, 2019 Annual Town Election:
 - o Change the elected Tree Warden to appointed, as approved under Article 6 of the April 30, 2018 Town Meeting;
A motion was moved by Selectman Wood and seconded by Selectman Dunn to authorize the change of elected Tree Warden to appointed, as approved under Article 6 of the April 30, 2018 Town Meeting. Voted 3-0-0
 - o Prohibition of Recreational Marijuana, as approved under Articles 7 and 9 of the December 3,

2018 Special Town Meeting;

A motion was moved by Selectman Wood and seconded by Selectman Dunn to authorize Prohibition of Recreational Marijuana, as approved under Articles 7 and 9 of the December 3, 2018 Special Town Meeting. Voted 3-0-0.

- o Exemption from the provisions of proposition 2 ½ the amounts required to pay the Town's share of the bond issued by the Pentucket Regional School District for the purpose of paying the costs to construct a new Middle/High School. Chair O'Neil explained that this has changed and will continue to change until the Mass School Building Authority solidifies or gives final approval of the language. The new language now reads:

To see if the Town will approve the appropriation and borrowing authorized by the Pentucket Regional School District for the purpose of the construction of a new Middle/High School to be located at 24 Main Street, West Newbury, MA. Including the payment of all cost incidental or related thereto the project which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least fifty (50) years and for which the district may be eligible for a school construction grant from the MSBA said amount to be expended at the direction of the School Building Committee. The MSBA's grant program is a non-entitlement discretionary program based on need as determined by the MSBA and any project cost the district incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the district and its member municipalities.

Any grant that the district may receive from the MSBA for the project shall not exceed the lesser of; 1. The approved percentage of eligible approved project costs as determined by the MSBA or 2. The total maximum grant amount determined by the MSBA. To determine whether the approval of such borrowing will be contingent upon a vote of the Town to exempt its allocable share of the debt service on the borrowing for the project from the tax limitations of prop 2 ½ so called or take any other action related thereto.

A motion was moved by Selectman Dunn and seconded by Selectman Wood to approve the language as read. Voted: 3-0-0.

SELECTMEN'S TIME & REPORTS:

- **Selectman Wood:** Last Tuesday attended the We Are Pentucket meeting with residents and seniors. Students attended and described the temperatures at the current school. There are opportunities for the public to tour the school. Received a letter from Dr. B about the Haverhill Rowing Team proposed boat house at the Pines. Haverhill will not be allowing Pentucket students to join because their enrollment is too high. They will revisit it for the fall. Sent an email to Senator Tarrs office asking for an update on the line-painting on Main Street.
- **Selectman Dunn:** Asked if anyone knows what happened to the squad truck behind the Fire Station. It was surplused to the Highway Department. Starting to send out donation letters for the signs this week.
- **Chair O'Neil:** He is amazed at how many people do not understand that we will be building two schools. This is one project with two new schools. He encouraged the public to become informed about this.

OLD OR UNFINISHED BUSINESS: Chair O'Neil welcomed the new Highway Superintendent, Renny Carroll, today was his first day.

OTHER ITEMS NOT REASONABLY ANTICIPATED AT TIME OF POSTING: Chair O'Neil; The Town Clerk and the election coming up. The current Town Clerk is not running for re-election, he would like to see a seamless transition and suggests that the Town Clerk offer all of the candidates a chance to shadow her. Selectman Dunn agreed. The Board does not feel that they have any say about what goes on in the Town Clerk Office because she is elected. They will send a letter to the Town Clerk asking that she allow this. Selectman Wood would not comment on this in order to avoid any appearance of a conflict of interest.

FINANCE DIRECTOR'S TIME: none

CORRESPONDENCE: none

ADJOURNMENT:

A motion was moved by Selectman Wood and seconded by Selectman Dunn to adjourn the meeting at 8:35 pm. Voted 3-0-0.

The next regularly scheduled meeting of the Board of Selectmen will be Monday, April 1, 2019 at 6:30 P.M.

Respectfully submitted,

Katherine T. Ingram

*** Approved on April 16, 2019, with a vote of 3-0-1, with Selectman Watson abstaining ***