

Groveland Board of Selectmen
Meeting minutes
February 20, 2018

Present: Chairman Michael Wood, Selectman Ed Watson, Selectman Bill Dunn and Selectmen Bill O'Neil

Absent: Vice Chair Lisa Dube-Carpenter

Others present: Denise Dembkoski

The meeting was called to order at 6:30 PM.

RESIDENT/PUBLIC COMMENT

None

APPROVE WARRANTS

PW # 18-33 \$136,799.46

Chairman Wood made a motion to approve payroll warrant #18-33 in the amount of \$136,799.46; seconded by Selectmen O'Neil; voted 4-0-0; warrant approved.

BW # 18-33 \$606,606.11

Chairman Wood made a motion to approve bill warrant #18-33 in the amount of \$606,606.11; seconded by Selectman O'Neil; voted 4-0-0; warrant approved.

APPOINTMENTS

Appointment of Kathy Greaney (Unenrolled), 502 Diane Circle, Groveland, to the Board of Registrars to fill a vacancy through June 30, 2019

Kathy Greaney was present to answer any questions from the Board.

Selectman Dunn made a motion, seconded by Selectman O'Neil to appoint Kathy Greaney, 502 Diane Circle to the Board of Registrars to fill a vacancy through June 30, 2019; voted 4-0-0; motion approved.

DISCUSSION AND POSSIBLE VOTE

Statement on the Fire Chief

Chairman Wood read the following statement on the Fire Chief:

“On February 12, 2018, Fire Chief Robert Lay and the Board of Selectmen executed an employment settlement agreement whereby Chief Lay agreed to resign his employment effective on March 30, 2018. Between now and March 30, Chief Lay will continue on paid leave status as the Board voted on January 18, 2018. The terms of Chief Lay's administrative leave shall remain unchanged during this additional leave period.”

Recreational Marijuana Moratorium

Ms. Dembkoski explained that as of April 1st recreational marijuana becomes legal in Massachusetts and in order to stop any applications the Board must vote to enact a temporary moratorium through December 31, 2018. The moratorium will need to be approved at Town Meeting on April 30th. There is likely to be a fall Special Town Meeting for the high school project and a bylaw for recreational marijuana can be

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added to the warrant at that time. The Planning Board is in support and they will start their process once the Board approves. In response to a question from Chairman Wood, Ms. Dembkoski stated that the moratorium would be effective on the date of Town Meeting, leaving a gap from April 1st to April 30th, but to date nobody has come forward with any interest to submit an application. Selectman O'Neil asked about the definition of marijuana cultivator. The Board asked for Ms. Dembkoski to add "recreational" to all the types of establishments in the Section 7.52.

Selectmen O'Neil made a motion to amend the moratorium presented by adding the word "recreational" before each kind of establishment named in Section 7.52 and to approve the moratorium as amended, seconded by Selectman Dunn; voted 4-0-0; motion approved.

Discussion of M.G.L. Ch. 48 §§ 42,43, 44 (the so-called "strong fire chief" statute)

Ms. Dembkoski stated that in 2013 the Town accepted the "strong chief statute" and in 2016 it was on the Warrant to repeal and it failed. Chairman Wood thought it would be best to look at repealing that again. Selectman Dunn asked about the pros and cons for the strong chief and the weak chief. Ms. Dembkoski read the "strong chief" statute (M.G.L. chapter 48, §42, 43 and 44) and the "weak chief" statute (M.G.L. chapter 48, §42A). Selectman Dunn stated it seems the only difference is the strong chief has the hiring and firing power within the department. Ms. Dembkoski stated the "weak chief" is how the other departments in town operate, including the police department. The chief would still recommend appointments but the Board would be the appointing authority. Selectman O'Neil stated that in 2013, he supported the strong chief statute but now is in favor of repealing it because there is no accountability with the strong chief. Selectman Watson agreed that it is time for a change.

Selectman O'Neil made a motion that the Board of Selectmen sponsor a warrant article to repeal Massachusetts General Law chapter 48, Sections 42, 43 and 44 and replace it with Massachusetts General Law chapter 48, Section 42A; seconded by Selectman Watson; voted 4-0-0; motion approved.

Chairman Wood stated that next Tuesday night he, Selectwoman Dube-Carpenter and Ms. Dembkoski will be meeting with the firefighters to address any questions and concerns.

Superintendent Search Committee – Board Member selection

Chairman Wood indicated that Selectwoman Dube-Carpenter has offered to be part of the search committee.

Selectman O'Neil made a motion to appoint Lisa Dube-Carpenter as the representative on the Pentucket Regional School Committee's superintendent search committee; seconded by Selectman Watson; voted 4-0-0; motion approved.

FY2019 Budget Discussion

Selectman Watson requested the water department budget. Selectman O'Neil asked that the school department submit their budget to them in the original excel format and not paper copy or pdf. Mr. O'Neil also stated that there were departments last year that weren't willing to give funds back at the end of the year when the Town needed funds to cover some deficits. Ms. Dembkoski indicated that last year there was a freeze on the budgets and some departments did continue to spend after the freeze was implemented. Selectman O'Neil suggested those departments that continued to spend should have their budgets cut and they need to be more fiscally responsible. Ms. Dembkoski indicated that the amount of free cash is not known yet and the state budget and health insurance figures are all still unknown. Selectman Dunn stated that until they get the actual numbers they don't really know what will happen.

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The school has proposed some cuts and Ms. Dembkoski has a preliminary budget based on not funding all requests. Chairman Wood asked about the increase under the Selectman's office reserve fund. Ms. Dembkoski stated that the Finance Board has allowed transfers from the reserve fund to cover any unexpected deficits. It can only be used to cover deficits otherwise it will go into free cash at the end of the year. Selectman Dunn asked about increasing the snow and ice budget. Ms. Dembkoski stated that the Finance Board will come up with a recommendation to increase that line item. Selectman Watson indicated an increase in the highway budget is warranted. Ms. Dembkoski indicated they are looking to hire a junior laborer that can work half the time under the highway department and half the time for the town on facilities maintenance.

VOTES OF THE BOARD

Executive Session Minutes from January 18, 2018

Selectman Watson made a motion to accept the Executive Session meeting minutes from January 18, 2018, seconded Selectman Dunn; voted 4-0-0; minutes approved.

Minutes from January 18, 2018

Selectman O'Neil asked for the minutes to reflect that he asked the chief to recant a statement that the Board accused him of being dishonest. He said, Chief Lay made a comment that the Board had said he was being dishonest. Selectman O'Neil stated those words never came out of his mouth and asked the Chief to retract that generalized statement; to which the Chief did.

Selectmen O'Neil made a motion to accept the minutes from January 18, 2018, as amended, seconded by Selectman Watson; voted 4-0-0; minutes approved.

Minutes from January 22, 2018

Selectman Watson made a motion to accept the minutes of January 22, 2018; seconded by Selectman O'Neil; voted 4-0-0; minutes approved.

Pay change request for Robert Polizzotti from \$11/hr to \$18/hr submitted by the Cemetery Commissioners

Selectman Watson made a motion to approved the pay raise from \$11/hr. to \$18/hr. for Robert Polizzotti; seconded by Selectman Dunn; voted 4-0-0; motion approved.

Mr. Dunn asked about getting a full time position at the cemetery. Ms. Dembkoski indicated Mr. Polizzotti would still only be working 19 hours. Commissioner Rock Dower stated that they are looking at a plan for a full time foreman and a part time person for recordkeeping. He stated that Mr. Polizzotti has been a big help and they are looking to increase his hours. Ms. Dembkoski stated that his budget request only had the full time superintendent and not the additions he just mentioned. Mr. Dower stated that he didn't believe the money would change but how funds would be allocated may change and he would update the budget request if needed. Mr. Dower stated that the verbiage used by Selectman O'Neil about departments spending their budget was a bit offensive because some departments hold off on spending in case of emergency. Selectman O'Neil clarified that his comments were directed at departments that spent money they did not need to spend.

Drug and Alcohol Testing Policy and Program

Ms. Dembkoski stated that the Town received a \$15,000 grant from the state to update policies and this is the first one that has been updated. Town Counsel has reviewed and recommends the Board accept this policy.

Selectman Watson made a motion to accept the Drug and Alcohol Testing Policy and Program; seconded by Selectman Dunn; Selectman O'Neil asked for mandatory rehabilitation after the first alcohol offense.

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Ms. Dembkoski suggested they could review on an annual basis and decide whether there is a need to revise the policy. The board voted on the original motion 4-0-0; motion approved.

Accept resignation of Ronda Carducci from the Board of Registrars

Selectman Watson made a motion to accept the resignation of Ronda Carducci from the Board of Registrars; seconded by Selectman Dunn; voted 4-0-0; motion approved.

OLD BUSINESS

Selectman O'Neil asked about the Veasey Park insurance issues. Ms. Dembkoski stated that if there are additional funds at the end of the year then Mr. Dempsey will see what they can pay for and that insurance for Veasey Park is in next year's budget as an unknown. Mr. O'Neil asked about storm water management program plan for approximately \$53,000 per year. Ms. Dembkoski indicated that it will probably not move forward at that rate. They started to do some of the engineering but because of the timeline change by the state, she doesn't think they need to use the same amount of money they originally anticipated but they will meet to discuss their obligations now that the time line has changed. Mr. O'Neil asked about using the old water buildings. Ms. Dembkoski indicated they are in desperate need of storage. The water department is hoping to vacate the Washington Street building by the fall and she hopes they can start utilizing some space starting July 1st. Mr. O'Neil asked about the Washington Hall Annual Reports. Ms. Dembkoski hasn't received anything yet. Mr. O'Neill asked why the recycling sometimes doesn't get picked up when the weather is bad. Ms. Dembkoski indicated that the Wednesday trash day is the busiest route and they make trash a priority. They cannot use the split truck that pick up both trash and recycle at the same time because the route is too large. Ms. Dembkoski said she is talking with Waste Management to see if they can change some of the Wednesday route to another day.

SELECTMEN REPORTS

Selectman Dunn stated he met with Joe Anderson, Selectman in West Newbury about the process for changing to a town manager form of government. It was a two year process for them. They have an in house counsel that made the process move quicker. They used the Special Act legislation not a Charter change. They handed out a questionnaire and distributed it through social media for resident feedback. The biggest reason residents wanted the change was because of lack of communication and trust. The process cost around \$2500. The Town Manager was hired at \$145,000 and they changed Town Hall infrastructure to add some offices. They also changed the structure of government. The biggest fight was appointed vs. elected positions.

Selectman O'Neil reported that there was a joint meeting between the school committee and high school building committee to choose four models from the ten presented. They chose two that were mandated by the state and the other two were a combined high school/middle school, one with two floors and one with three floors. There is an issue with the retention pond and they are not sure what can be done with it. Ms. Dembkoski stated that they will start to evaluate cost and impact on students for each design.

CORRESPONDENCE

Executive Session Minutes from February 5, 2018

Minutes from February 5, 2018

Executive Session Minutes from February 12, 2018

Letter from the Finance Board regarding the elected position of Road Commissioner

Nichols Village expansion project – letter and summary (full plans are available in the office)

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FINANCE DIRECTOR'S TIME

Ms. Dembkoski offered sincere condolences to Deb Ketchen, the town's health agent, on the tragic loss of one of her family members yesterday.

SELECTMEN'S TIME

Selectman O'Neil echoed Ms. Dembkoski's condolences to the Ketchen family. And also asked about volunteer of the month. Ms. Dembkoski stated it will be on the next agenda.

Selectman Dunn asked if the Board is interested in getting a group together to promote business in Groveland. The Board agreed to put the topic on an upcoming agenda.

Selectman O'Neil made a motion to adjourn; seconded by Selectman Dunn; voted 4-0-0; meeting adjourned at 8:10PM.

The next regular meeting will be held on **Monday, March 5, 2018** at 6:30PM.

Respectfully submitted by: Laurie Burzlaff, minutes clerk.

*** Approved on March 19, 2018 with a vote of 4-0-1, with Selectwoman Carpenter abstaining ***