

Groveland Board of Selectmen  
Meeting Minutes  
June 26, 2017

Present: Chair Michael Wood, Selectman Ed Watson, Selectman Bill Dunn, Selectwoman Lisa Dube-Carpenter, Selectman Bill O'Neil

Absent: None

Others Present: Denise Dembkoski (Finance Director)

Recorder: Melanie Rich

The meeting was called to order at 6:33 p.m.

**RESIDENT/PUBLIC COMMENTS:** None tonight

**APPROVAL OF WARRANTS:**

Chair Wood made a motion to approve PW#17-51 in the amount of \$167,011.78; Selectman Watson seconded; voted 5-0-0; warrant approved.

Chair Wood made a motion to approve DW#17-49A in the amount of \$32,520.08; Selectman Watson seconded; voted 5-0-0; warrant approved.

Chair Wood made a motion to approve BW#17-51 in the amount of \$2,829,658.86; Selectman Watson seconded; voted 5-0-0; warrant approved.

**APPOINTMENTS:**

Chair Wood said the information to reappoint Jan Voogd, Library Director, for a one-month period, July 1 through July 31, 2017, came in less than two hours ago. He told Ms. Voogd on June 9<sup>th</sup> that the information regarding her appointment extension was needed by June 22<sup>nd</sup>. Chair Wood allowed the appointment to be added to the meeting tonight so the operations of the library would not be interrupted. In the future, this type of appointment needs to be submitted 48 hours ahead of time; this will be the only exception he will make for the library regardless. Selectman Watson made a motion to appoint Jan Voogd, Library Director, July 1, 2017 through July 31, 2017; Selectwoman Carpenter seconded; voted 5-0-0.

Selectman Watson made a motion to appoint Taylor Devlin to the part-time position of Library Assistant effective June 27, 2017 pending a successful CORI; Selectwoman Carpenter seconded; voted 5-0-0.

Chief Gillen was present for the promotions/appointments of members of the force. He said the team of officers tonight all believe in the 21<sup>st</sup> Century Policing Model (community policing, wellness, serving the people of Groveland); they are top notch and overwhelmingly deserving of the appointment. Adam Sanborn and Chris L'Italien self-sponsored themselves through the full-time police academy. Emily Staton will be the full-time dispatcher. Dwight McDonald has been on the force 28 years. Heather Riley will be the first female supervisor on the Groveland Police Department. She has been a detective for two years; invaluable to the department. Eric Gorski has been on the force 28 years and a life-long member of the community. Chair Wood commented that any contact he has had with an officer has been professional, friendly and they are willing to do anything that needs to get done.

Selectman O'Neil made a motion to appoint Adam R. Sanborn to the position of full-time Patrol Officer effective July 1, 2017; appoint Christopher B. L'Italien to the position of full-time Patrol Officer effective July 1, 2017; to appoint Emily G. Staton to the position of full-time Dispatcher effective July 1, 2017; to approve the promotion and appointment of Dwight P. McDonald to the position of Lieutenant of the

Groveland Police Department effective July 1, 2017; to approve the promotion and appointment of Heather A. Riley to the position of Sergeant of the Groveland Police Department effective July 1, 2017; to approve the promotion and appointment Eric B. Gorski to the position of Sergeant of the Groveland Police Department effective July 1, 2017; Selectman Watson seconded; voted 5-0-0.

**DISCUSSION AND POSSIBLE VOTE:**

Michael Nelligan (Powers and Sullivan) to discuss the FY16 Audit and Findings – Mr. Nelligan said the numbers for the town have improved over the last 4-5 years. The town has good reserves built up in the general fund and stabilization fund. Last year the stabilization fund had \$742,000; this year \$300,000 was put in. Ten years ago there was virtually no reserves. There were positives in all the areas this year; there are a lot of improvements going on. There are some material weaknesses mentioned in management letter. The Light Plant audit is done by another set of auditors. In 2015, the town included the GASB 68 which brought the pension liability on the books. In 2016, the new GASB was a fair value measurement which changed some disclosures in the cash area/cash investments. This year is the first of two OPEB standards coming out. The first requires no disclosure changes only; the second in 2018 will require the liability for the entire OPEB. The changes in OPEB and pension liabilities reflect what the contributions are; the additional liabilities bring on the actuarial amounts.

Planning for the audit started in June/July with the audit taking place in the last week of November/first week of December. He thinks the changes (Vadar training, new modules for cash applications) will help the accountant reconcile cash which was a problem in the past. He said the audit went smoothly. Chair Wood asked if there was anything that was lingering from the previous years or issues that he has concerns about. Mr. Nelligan said what concerned him was the reconciliations that weren't being made on a timely basis. He doesn't see anything that is problematic. There was a \$761,000 increase in the general fund (14%; a very positive change). He briefly reviewed the audit clean opinions. Overall the report was favorable. He suggested the board read the Summary of how the OPEB changed because of the new requirements; it recommends the funding needed to get to a higher discount level to lower the liability. Selectwoman Carpenter asked if the material weaknesses were ranked in an order of importance. He said they are not, but said the reconciliation of cash and receivables are the most important. Mr. Nelligan read the definition of material weaknesses in their opinion and said it does not say there are material misstatements in the financial statements, there is only the possibility there could be. Mr. Nelligan said the Fraud Risk Assessment would be a priority because it puts the responsibility back on the department heads to look at their department. The comment about documentation of internal controls is not high priority for the town right now; it is meant to be addressed by school departments because they are getting federal grants. Mr. Nelligan said it is their duty to report back on what they see. The DOR wants to see the comments on the management letter communicated to the proper governance board. Selectman Watson commented that compared to the last three audit reports, this report shows that we are doing things better than in the past and shows promise; Mr. Nelligan agreed. Selectman O'Neil asked what are the key factors that attributed to the success we've had over the last couple of years. Mr. Nelligan said most important is the Finance Director. She has a lot more experience and hands-on capabilities than those before her. Those will make a big difference. The new Town Accountant will make a difference as well. Getting the training, new modules and cleaning up the computer system will be a good opportunity to see positive changes going forward.

Police Annual Appointments – Selectman O'Neil made a motion to appoint the following individuals: **Sergeant**-Eric Ryan; **Full-time Patrol Officers**-Steven Petrone, Joshua Sindoni, Christopher Ertso; **Reserve Patrol Officers**-Edwin Fournier, Paul Pierce, Matthew Leeman, Robert Richards, Jr., Michael Fornesi, Jacob Wallace, Daniel Richmond, Jr., Stephen Sargent, Joel Henriquez, Joseph McMains, Emily Staton, Stephen Dehullu; **Full-time Dispatcher/Lockup Keepers**-Cynthia Batista, Edwin Fournier, Stephen Sargent, Emily Staton; **Reserve Dispatcher/Lockup Keepers**-Katelyn Trudell, Debra Mumnoz, Jacob Wallace, Daniel Richmond, Jr. Joseph McMains, Amanda Muir; **Animal Control Officer**-Daniel

Richmond, Jr., Stephen Sargent (Assistant); **Harbormaster**-Michael Vets; **Dock Keepers**-Robert Raimondi, Nicholas Toleos; **Constables**-Edward Reed, Carlos Husak.  
Selectwoman Carpenter seconded; voted 5-0-0

Summer Program Appointments – Selectman O’Neil made a motion to appoint Jeremy Binding, Matthew Castonguay, Ashley Cummings, Ryan DePaolo, Cassandra Donovan, Nicola Elardo, Bryanna Favor, William Gilmore, Caitlyn Gratton, Jake Greene, Kiernan Haley, Annie Kalashian, Allison Lahiff, Madison Lesiczka, Allie Ligols, Brandno Mills, Carolyn Modlish, Jeffrey Modlish, Amelia O’Brien, Ryan Panaro, Andrea Pound, Erik Scott, Cameron Wolbach. Selectman Watson seconded; voted 5-0-0.

Annual Appointments – Selectman Dunn made a motion to not reappoint those that did not reply or cannot be reappointed; Selectman O’Neil seconded. Selectman Watson asked if those that did not reply could be sent a letter letting them know they are up for reappointment. Selectman Dunn withdrew the motion. Selectman Watson made a motion to appoint: **Board of Registrars**-Jennifer Close (per Town Clerk), Ronda Carducci (per Town Clerk), Susan D’Angelo (per Town Clerk), Laurie LeBlanc (at the request of Selectman O’Neil); Chair Wood read MGL c.51 which in part read...”in no case shall an appointment be made to cause the board to have more than two members, including the City or Town Clerk”. Is there a requirement to have three Registrars? Both political parties must be represented. The board does not know what parties are represented. Selectman Watson said at the last meeting we asked for recommendations from the Town Clerk and the BOH. Regarding Laurie LeBlanc, Selectman O’Neil asked if the appointments are performance-based. Selectwoman Carpenter said if they are, it would be an executive session issue with the Town Clerk, but she was not aware that the question was asked. Selectman O’Neil is asking now. The appointments for the Board of Registrars were put on hold. Selectman Dunn asked how we get the Town Clerk to answer our questions. Ms. Demboski said the Chairman can ask if it is performance-based; if she has a specific reason no to reappoint she could either come before the board or provide an answer in an email response. Selectman Dunn said that would be fair for the person to know why she was not reappointed. Selectwoman Carpenter said if we are asking the Chair to address that, the board should vote because it is acting outside of the role of the Chair. Selectwoman Carpenter made a motion that the Chair follow up with the Town Clerk to obtain information about the basis and if it is appropriate to share at the meeting do so accordingly, and if not decide whether it needs to be brought before executive session; Selectman Watson seconded; voted 5-0-0. **Cultural Council**-Marguerite Foley; **Election Constables**-Dave Tuttle, Ed Reed; **Recreation Committee**-Bethany Silva, Pamela Blaquiery; **Stormwater Management Committee**-William Carter. Selectman Dunn seconded. Ms. Demboski recommended reappointing the BOH Nurse and Agent. Selectman Watson recommended the motion include approval for **Heath Agent**-Debra Ketchen and **Health Nurse**-Anita Wright. Voted 5-0-0.

**VOTES OF THE BOARD:**

Selectwoman Carpenter made a motion to approve the June 12, 2017 Meeting Minutes; Selectman Watson seconded; voted 5-0-0.

Selectwoman Carpenter made a motion to approve the May 22, 2017 Executive Session Meeting Minutes; Selectman Dunn seconded; voted 5-0-0.

Selectwoman Carpenter made a motion to adopt the Designer Selection Procedures for the Town of Groveland Public Building Projects; Selectman Watson seconded; voted 5-0-0.

**OLD BUSINESS (Unfinished Business):**

Chair Wood asked that any water quality concerns not be posted on Facebook alone. The Water Department does not monitor Facebook. Please contact the Water Department directly with any questions or concerns.

Chair Wood thanked and congratulated Jeremy Frederick on his Eagle Scout project. He said the new reading center is very comfortable and relaxing; job well done.

Chair Wood received an email from the ZBA. They are down members. An issue on the July 19<sup>th</sup> agenda requires one of the members to recuse themselves because they are an abutter. Chair Wood cannot participate because is also an abutter. Selectman Dunn will see if he can attend.

Chair Wood updated the Bagnall field. The grass is growing. The work done to date is as follows: the week of town meeting seeding was done, the week after starter fertilizer was applied, the week of June 5<sup>th</sup> it was slice seeded both ways, and June 18<sup>th</sup> fertilizer was applied again.

Chair Wood said at the last Selectmen's meeting, there were serious allegations made against Selectman Dunn by other members of the board. Because of this we were forced to engage Town Counsel to render an opinion of the fact at a cost to the town. He read Town Counsel's opinion provided in the KP Law letter dated June 16, 2017. In summary, it is Counsel's opinion that based upon the facts, nothing Selectman Dunn was involved in concerning the Bagnall School landscaping project violated Chapter 268A.

Chair Wood said the findings from Town Counsel speak for itself and there is no logical way to come to an alternative conclusion. He read the following statement, "Bill has done nothing wrong in his efforts and donations have been for the betterment of Groveland. This board is divided. It really mirrors national political landscape in this country. From town levels to state levels and up to the federal level. People have either forgotten how to work together, or they have decided that working together is not in their own best interest, or possibly it doesn't sit well with a small group of people they are protecting. Regardless of the reasons, it needs to stop. We don't have to like each other but we do have to work together. We can disagree, we can debate; however, what we do, we will do it with professionalism and respect. This board is the governing authority in this town; this board sets the tone for how the rest of the town should conduct itself, remember that. Every member of this board should ask themselves why they wanted to be a Selectman to begin with. Was it to discredit or disrespect another board member? Was it to promote their own personal agenda? Was it to protect a small group of disruptive angry people in town, or was the reason to truly focus on what's best for Groveland and to move the town forward; I hope it is the latter. There hasn't been a team in the history of the world that has been successful with division eating away at it from the inside. We have all seen what's happening on the national level of government, let us be the place where people can point to as an example of successful collaboration. Bill, as the Chair I apologize for the false accusations that were made against you last week, and any personal damage that might have been caused." Selectman Dunn thanked him and said as the past chairman of the board, he did not have any personal agendas; he had goals; goals which he set as the chairman and worked with his board members to achieve and is proud of achieving those goals. He does not sit to divide the board; he did what he thought was needed to do to try and move forward. He challenged the board to work together to set goals and run this town like a business. Selectwoman Carpenter suggested issuing written disclosures in the future to avoid any concerns or questions.

Selectman Dunn asked the status of the land sales. Ms. Dembkoski said the P&S for the first RFP has been sent to the DeHullu's The second RFP has not gone out to bid yet. She is working with Town Counsel on the land swap that town meeting approved. After Town Counsel review, it will come to this board.

Selectman O'Neil read Town Counsel's opinion provided in the KP Law letter dated April 19, 2017 regarding the right of the Selectmen to enter the Town Clerk's office by breaking the lock if necessary. Counsel's opinion is that all real estate of the town, with the exception not relevant here, is by law under the control of the Selectmen, and accordingly, they may use whatever reasonable measures might be

necessary to gain access to a room on town property which has been locked or for which they are unable to get the key. This would specifically include breaking and replacing the lock. Under MGL, c.40, Section 3, “all real estate of the town shall be under the control of the Selectmen, except as otherwise provided in MGL c. 30, Section 9 pertaining to the Veterans space and armories”. In this case, the Town Clerk’s office was locked and the key was not delivered to the Selectmen who needed access for the public purpose of preparing the upcoming town meeting on April 24<sup>th</sup> and upcoming elections on May 1<sup>st</sup>. Selectman O’Neil asked what type of information is there that is privy in that office that the members who are duly elected by the taxpayers and voters of the community are not privy to. Personal property does belong under the control of the Selectmen and not with any other person or entity. Selectman O’Neil said it came up before and doesn’t want it to be a problem again. Business of the town and the taxpayers need to be conducted in reasonably expeditious manner whenever possible. While the position is elected, all of the property should be under the control of the Selectmen. The Town Clerk is to inform the Chair if she is out more than a day or two; not every time. Selectwoman Carpenter thinks there is a difference between the letter and the statutory role of the Town Clerk which is the Keeper of the Records; it is supposed to have autonomy. Selectman O’Neil will review the outline of the Town Clerk’s position for an elected official. He would also like to discuss the possibility of it becoming an appointed position rather than elected. Ms. Dembkoski said many cities and towns have appointed Town Clerks; it is not a requirement to be an elected position. It would be a bylaw change. Selectman Watson said it was tried three times before and was voted down. Selectman O’Neil said just because something was defeated, you don’t stop. It will be a future agenda item. Selectman Dunn said PR is needed otherwise people don’t understand at the ballot box.

Selectman O’Neil discussed the Library Director and the data provide by Ms. Dembkoski. She reached out to surrounding towns; Merrimac hired a consulting company to do a full salary survey. As far as an hourly rate, Groveland is in the middle. Selectman O’Neil heard it was the salary creating the tremendous turnover, but after reviewing the salary survey felt it is clearly not salary causing the turnovers; there has to be another reason. He is trying to find the root cause. He said Ms. Voogd’s answer to leaving was cryptic. Ms. Dembkoski believes Ms. Voogd sees herself as a fixer and is looking to go elsewhere to do that.

Selectwoman Carpenter would like to revisit how we are going to involve members of the community in the town square project. Chair Wood said he has a meeting at Senator Tarr’s office on July 17<sup>th</sup>. He will get some background information and find out what might be available and then proceed accordingly. He will also have a second meeting regarding the avenues available for the senior center.

**CORRESPONDENCE:**

1. June 13, 2017 Meeting Minutes.
2. Police Department update.
3. Town Counsel’s opinion on Conflict of Interest allegations against William Dunn.
4. Earth Removal Permit for the Water Commissioners as voted on June 12, 2017.
5. Survey of Town Counsel costs for communities under 12,000 population.
6. Library Director Salary Survey – Conducted by the Town of Merrimac.
7. Cemetery equipment inventory list.
8. Water & Sewer equipment inventory list.

**FINANCE DIRECTOR’S TIME:**

At the July 10<sup>th</sup> meeting she will have the last round of year end transfers. She asked departments in May to spend only on essential items and contractual obligations because she knew we would have a shortfall. There are some departments that feel it is their budget and why not spend it. The BOH wants to spend the \$1,500 they have left on recycle bins; it is not a necessity and asked if they could hold off until July 1<sup>st</sup>. She suggested to one of the BOH members that it would be helpful to create recycle bin revolving account where we charge \$5 toward the bins instead of using general fund money. Selectman O’Neil suggested

cutting their budget next year. He said people can't spend it just because it's in the budget. Ms. Dembkoski has the right to implement a spending freeze. She does not want to do that and encouraged the departments to work with her. The majority have been wonderful. She feels this is where some of the difficulties are when it comes to an elected board.

**SELECTMEN'S TIME:**

Selectman Watson has received complaints about the Route 97 project; mostly from business owners about the dust and the condition of the road. He would like an agenda item to have the state engineer come in and update the board with the status, timeframe of the project, and how they are going to control the dust. He wants them to be aware that school will start in August and doesn't want the school to be impacted.

Selectwoman Carpenter said within the last few weeks they received an email from Superintendent Mulqueen regarding a presentation he gave to Merrimac. She requested he be put on a future agenda to do something similar for us regarding the proposed school.

Selectman O'Neil congratulated the Groveland Cubs, the ITBL major leagues having made it to the championship series before being defeated by Rowley. Thanks to the players, coaches and parents for a great season.

Selectman O'Neil said to please contact the Water Department directly with any water issues. Ms. Dembkoski added that goes for any issues with the town; complaints are received that issues are not being handled; we can only address it if we know about it. The Town does not monitor, nor reply to Facebook posts. Please call the town departments of there is an issue.

Selectman O'Neil asked if the street sweepers at 3:30 a.m. in the Murray Street/Salem Street areas could be addressed. The Gardner/Main Street project is progressing; they are beyond Washington Street. We need to figure out how to make it safe and passable again. He said it is an accident or fatality waiting to happen. Ms. Dembkoski received an update from the contractor working on it. They expect to have the tie-in at Washington and install the remaining service completed by July 7<sup>th</sup> at the latest; the paving and punch list items will begin July 10-14.

Selectman O'Neil personally thanked Attorney General Jeff Sessions for recognizing there is a tremendous drug addiction problem in this country; however, medical marijuana is not the issue, it is the opioids; focus on where the need is.

The next regular meeting will be held **Monday, July 10, 2017** at 6:30 p.m.

Selectman Watson made a motion to adjourn; Selectwoman Carpenter seconded; voted 5-0-0. The meeting was adjourned at 9:02 p.m.

\*\*\* Unanimously Approved on July 24, 2017 \*\*\*