

Groveland Board of Selectmen
Meeting minutes
January 8, 2018

Present: Chairman Michael Wood, Vice Chair Lisa Dube-Carpenter, Selectman Ed Watson, Selectman Bill Dunn and Selectmen Bill O'Neil

Absent: None

Others present: Denise Dembkoski

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

RESIDENT/PUBLIC COMMENT

None

RECAP OF WARRANTS

Selectman O'Neil gave a recap of warrants he approved on December 26, 2017 - Payroll warrant #18-25 in the amount of \$263,419.30 and bill warrant #18-25 in the amount of \$1,443,305.08

APPROVE WARRANTS

PW # 18-27 \$156,674.74

Chairman Wood made a motion to approve payroll warrant #18-27 in the amount of \$156,674.74; seconded by Selectmen O'Neil; voted 5-0-0; warrant approved.

BW # 18-27 \$1,234,363.63

Chairman Wood made a motion to approve bill warrant #18-27 in the amount of \$1,234,363.63; seconded by Selectman O'Neil; voted 5-0-0; warrant approved.

RECOGNITION

Presentation of Commendations to Detective Steven Petrone and Officer Daniel Richmond for bravery and heroic actions with the vehicle crash into Johnsons Pond on Saturday, December 16, 2017.

Police Chief Jeffrey Gillen read the letters of commendations that were given to Detective Steven Petrone and Officer Daniel Richmond. The Board then presented Certificates of Commendation to Detective Steven Petrone and Officer Daniel Richmond.

Selectman Watson recommended both officers receive a day off for their actions.

Representative Lenny Mirra presented a Citation from the Massachusetts House of Representatives. The Chief also extended praise to dispatcher Cynthia Batista for her work on this incident.

APPOINTMENTS

Appointment of Jake Greaney, 2 Mill Street Ext., Groveland, to fill a Water & Sewer Commissioner vacancy effective January 8, 2018.

The appointment is made until the next annual election on May 7, 2018. At that time there will be an election to fill the remainder of the vacant term. The Board thanked Mr. Greaney for volunteering.

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Selectman O'Neil made a motion to appoint Jake Greaney, 2 Mill Street Ext, to fill a Water and Sewer Commissioner vacancy effective January 8, 2018 until the next annual election on May 7, 2018, at which time that election will fill the remainder of the vacant term; seconded by Selectman Watson; voted 5-0-0; motion approved.

DISCUSSION AND POSSIBLE VOTE

Presentation by Bill Daley on the Sewell Street Reclamation project

Bill Daley, 7 Hemlock Lane, Groveland, submitted information regarding the Sewell Street Reclamation project. Phil Peterson from Terra Environmental explained how he developed the soil management plan to reclaim the gravel pit. Selectwoman Carpenter and Selectman O'Neil asked for feedback from the Conservation Commission. Selectman Watson asked about having an independent company do the visual inspection referenced on page 5. Mr. Peterson explained that it is overseen by a licensed environmental professional. Mr. Watson also asked about source site history on Page 6 and questioned the acceptance of oil and hazardous materials. Mr. Peterson stated that he requires the site history before acceptance and they would not accept if there are hazardous materials. Mr. Peterson explained that bentonite is a clay material used in foundations. Mr. Watson asked about this being located in a drinking water source area. Mr. Peterson stated that the property is outside of zoned water protected aquifer and it will not drain into the water source. Mr. Daley indicated that the site will obtain a DEP permit to accept greater than 100,000 cubic yards, even if they will not exceed that amount. Selectwoman Carpenter asked Mr. Daley about the possibility of obtaining a performance bond for any damage that may occur to the street; Mr. Daley stated he is not opposed to a performance bond. Chairman Wood asked to receive copies of the monthly reports that are submitted to DEP. Selectman Dunn thinks this could be a good project/partnership for the town and they may be able to raise some revenue from it. Selectwoman Carpenter asked about process and if other town boards were involved. Mr. Daley said there aren't any town permits required but he has met with the permit development review team. Ms. Dembowski informed the Board that when the Chair received the packet from Mr. Daley, he asked her to seek guidance from counsel. According to counsel, since we do not have a bylaw addressing the filling of land, it would be the Board of Selectmen to set the conditions on the project. The Board can establish criteria, such as number of trucks a day, hours of delivery, etc. The Board is not approving the project. According to counsel, Mr. Daley will, however be required to obtain a Land Disturbance permit, from the Planning Board as his project meets the requirements of the Land Disturbance General Bylaw. Selectwoman Carpenter referenced the original agreement with Aggregate as a good starting point to establish criteria.

Selectwoman Carpenter asked what the intent was for the property. Mr. Daley indicated it might be a commercial development, but will not develop plans until the filling project gets underway. In response to a question from Selectman O'Neil, Mr. Daley stated that once approved the property should be ready for development in eighteen months. Mike Dempsey from Conservation Commission stated that there is an open Order of Conditions on the property regarding mitigating the drainage off the site. Mr. Daley indicated he would comply with the Order of Conditions.

VOTES OF THE BOARD

Minutes from November 13, 2017

Selectwoman Carpenter made a motion to approve the minutes of November 13, 2017, seconded by Selectman Watson; voted 5-0-0; minutes approved.

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Minutes from November 27, 2017

Selectman Watson made a motion to approve the minutes of November 27, 2017, seconded by Selectman Dunn; voted 5-0-0; minutes approved.

Executive Session Minutes from November 27, 2017

Selectwoman Carpenter made a motion to table the Executive Session minutes from November 27, 2017; seconded by Selectman Watson; voted 5-0-0; matter tabled until January 22, 2018.

Vote to approve a 2018 BYOB License for the Groveland Diner, LLC as part of their Common Victualler license

Ms. Dembkoski indicated that at the meeting on December 11th, the vote did not include the BYOB portion of the license. Selectwoman Carpenter inquired about their request to change their hours. Ms. Dembkoski indicated that they must go to zoning in order to change the hours of operation and they have not done that so the license will be with the existing hours. Selectwoman Carpenter made a motion to approve the 2018 BYOB license for the Groveland Diner, LLC as is, seconded by Selectman Watson; voted 5-0-0; motion approved.

OLD BUSINESS

Selectwoman Carpenter asked about a budget request for the Fire Department regarding the repair of the trucks. Ms. Dembkoski will review in her report.

Selectman Dunn asked about the status of the Town Planner position. Ms. Dembkoski indicated the position is still posted.

Mr. Dunn also asked about the Dehullu sale. Ms. Dembkoski indicated the sale is still proceeding; however it could take 2-3 years to vacate the foreclosures. The Board will need an executive session to discuss how they want to proceed.

Mr. Dunn asked about the Haryslak case. Ms. Dembkoski stated they have appealed and the town has spent \$26,677.04 on the case thus far. Chairman Wood would like to contact KP Law to see if they can countersue for a frivolous suit. Ms. Dembkoski stated legal fees should be at a minimum for the appeal because they will use the same written response as they used for summary judgement so not much additional work is needed at this point.

Mr. Dunn asked for an update on Pines project. Ms. Dembkoski stated that the drainage is done, the conduit for future lighting had been put in and top soil is waiting to be spread.

Selectman Dunn asked the chair to ask the water department to come before the Board to discuss the water breaks on the new Route 97 project.

SELECTMEN REPORTS

Selectwoman Carpenter updated the Board about the Elm Square Committee. The minutes will be approved at the meeting on January 11 and then Ms. Carpenter will forward to the Board. Ms. Carpenter also indicated that Lenny Mirra, Senator Tarr, The Essex County Greenbelt and Merrimack Valley Planning Commission have been invited to the next meeting and they expect someone from each of those groups to attend.

Ms. Dembkoski stated that School Building Committee meetings are scheduled for January 16th at Bagnall Elementary School at 6:30PM and February 7th at Merrimack Town Hall at 6:30PM.

CORRESPONDENCE

Minutes from December 11, 2017

Holiday card from Anita Wright

FINANCE DIRECTOR'S TIME

Ms. Dembkoski stated that she applied for the Community Compact again. The first best practice would be to have the Department of Revenue help redevelop the capital improvement plan. The second best practice would be in human resources to develop and update employee policies.

Ms. Dembkoski stated that Greenwood Auto has still not provided workers compensation information so she will be sending them a letter that he cannot sell any vehicles because his license has expired. The Board asked for the letter to state that the owner has until January 16, 2018 to provide the proper paperwork.

In reviewing the Fire Department grants, the Fire Department is working with Georgetown and Newbury on a regional grant for SCBA equipment. Groveland's portion of the grant would be approximately \$280,000 and if awarded, the town is required to come up with \$28,000 within 30 days. The fire department is also looking into a grant to get a new truck, which would require the town to provide \$60,000. Ms. Dembkoski recommends putting a tentative article on the warrant appropriating money in the event the grants are awarded.

Kathy Kastrinelis stated that the snow and ice budget has not been increased in 25 years and free cash is needed to make up difference. Ms. Kastrinelis asked the Board to keep that in mind when discussing how much money will be available to spend.

Ms. Dembkoski met with the Fire Chief about repairs and annual testing. He has fully spent all his line item funds for repairs and annual testing. He does not have funds anywhere else in his budget to cover the overspending. He will be over approximately \$20,000. Selectwoman Carpenter requested information on how often the new truck has been in service. Selectman Dunn stated last budget season they had to override \$5500 for truck repairs. He would like to know exactly what is wrong with the vehicles and what it will cost to fix. Ms. Dembkoski stated that the Finance Board has looked into this and found that the maintenance line item has been underfunded. She also stated that the maintenance and annual testing need to be separate line items.

SELECTMEN'S TIME

Selectwoman Carpenter stated that Dr. Mulqueen resigned and thanked him for everything he has done.

Selectman O'Neil stated he was disappointed that Dr. Mulqueen resigned because he has done such good work and asked for him to reconsider his decision.

In response to a question from Selectman O'Neil about missed recycling collection, Ms.

Dembkoski stated that when the weather is cold recycling does not compact as well so they fell behind.

The Board thanked the water and sewer department workers that were working on the recent water main breaks in the extreme cold. Also thanked the Highway Department for working on Christmas to plow the streets.

Selectman Watson made a motion to adjourn; seconded by Selectman Dunn; voted 5-0-0; meeting adjourned at 8:39PM.

The next regular meeting will be held on **Monday, January 22, 2018** at 6:30PM.

Respectfully submitted by: Laurie Burzlaff, minutes clerk.

***Unanimously Approved on February 5, 2018 ***