

Groveland Board of Selectmen  
Meeting minutes  
October 30, 2017

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, Finance Director

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

**RESIDENT/PUBLIC COMMENT**

Mike Dempsey & Vanessa Lopez – To provide details of Veasey Park Art Festival

Mike Dempsey, member of Groveland Conservation Commission, stated that Veasey Park is having their 12<sup>th</sup> Annual Wine and Art Festival. Vanessa Lopez, event coordinator of Veasey Park, explained it is their biggest fundraiser and have extended it to Sunday so families can participate with the activities planned for Sunday.

Chairman Wood explained that he and Mr. O'Neil had agreed to pay the police detail but they were informed they were not allowed to do that, so they donated the funds to the Friends of Veasey Park.

Ms. Lopez indicated they are very busy with bookings this year and will continue to expand offerings. Mr. Dunn suggested they consider a Farmers Market.

**APPROVE WARRANTS**

PW#18-17 \$161,731.00

Chairman Wood made a motion, seconded by Selectmen O'Neil to approve payroll warrant #18-17 in the amount of \$161,731.00; voted 5-0-0; warrant approved.

BW#18-17 \$443,571.41

Chairman Wood made a motion seconded by Selectman O'Neil to approve bill warrant #18-17 in the amount of \$443,571.41; voted 5-0-0; warrant approved.

**APPOINTMENTS**

None

**DISCUSSION AND POSSIBLE VOTE**

Conservation Restriction for 150 Center Street with Mike Dempsey & Chris LaPointe from Essex County Greenbelt (Approval and signing)

Mike Dempsey on behalf of Groveland Conservation explained that the property was purchased using grants and CPA funds so a conservation restriction is required. Chris LaPointe of Essex County Greenbelt explained that a conservation restriction is a permanent restriction held by a third party to ensure land is protected. Mr. LaPointe explained that this restriction is a little more restrictive than Essex County Greenbelt usually sees due to the requirements of the Division of Fisheries and Wildlife.

Chairman Wood asked what residents can use the land for. Mr. LaPointe indicated residents can use it for fishing, hiking, horseback riding, non-motorized recreation activities and passive outdoor recreation.

Selectman Watson asked Mr. LaPointe to explain the restriction on bicycles, especially since dump trucks are hauling gravel out of the area which can do more damage. Mr. LaPointe explained that the removal of gravel was a condition that was required when the town acquired the property and the bicycle restriction is one from the State. Mr. Watson believed the property is being too restricted. Mr. LaPointe explained that the town's acquisition of the land did not come with any development rights and required these conservation restrictions because of the funds used to purchase.

Mr. Dunn indicated that the property that is being restricted are the parcels that were purchased for future well sites (Mattingly and Angeline parcels) and not the front piece which was purchased for future development. Mr. Dempsey confirmed that the front piece is not covered by this conservation restriction and was not purchased with CPA funds. Mr. Dunn asked if there will be problems when the Town goes to develop that parcel. Mr. Dempsey indicated that the edge of the front parcel has been recognized by the state as a sensitive area for turtle habitat and the town will have to go through the state approval process when it is time to develop.

In response to a question from Selectman O'Neil, Mr. Dempsey indicated they cannot remove bicycles from the restriction.

Mr. LaPointe stated that if the town does not sign the restriction, they would not be eligible for future grants.

Mr. Dempsey indicated that there are two other restricted parcels in town where bicycles are allowed. Mr. Dunn indicated that in the future residents need to be informed of what restrictions will be placed on the property prior to voting on whether to purchase.

In response to a question from Selectman Watson, Mr. Dempsey indicated that hunting and trapping may be possible but you must go through the approval process first.

Selectwoman Carpenter made a motion to approve the conservation restriction for 150 Center Street; Selectman O'Neil seconded; voted 4-1-0. Selectman Watson opposed.

#### School Committee Presentation on School Building Project

The following were present: Brad Dorr of Dorr & Whittier, architects, Andy Murphy, School Committee Chair, Jon Lemieux of Vertex, Project Manager, Dr. Jeff Mulqueen, Superintendent of Schools, Jonathan Seymour, High School Principal and Chair of the School Building Committee, Lisa O'Connor, Groveland School Committee Member and Richard Hodges, Groveland School Committee Member.

Andy Murphy updated the Board on the School Building Project. They will be looking at both the high school and middle school. Outdated systems and infrastructure have made repairs very expensive. Educational issues are also present when dealing with an old building. Brad Dorr of Dorr Architects stated they are in the first phase of the MSBA process (feasibility study) and it mandates a significant amount of public input in the process. They will be holding public meetings on 11/8/17, 11/15/17 and 12/13/17 to gather input from residents. After all input, a schematic design will be done of a preferred option and submitted to MSBA for approval.

MSBA reimburses 52% of eligible costs. Phase 2 would begin in the fall of 2018, design and construction to start in the fall of 2019, and construction complete in approximately two years. Mr. Dorr indicated they will look at all options including using the current site. MSBA will not reimburse for cost of purchasing land.

Selectman O'Neil raised a concern about construction on current site disrupting students.

Selectwoman Carpenter asked how do you determine which option is best? Mr. Dorr indicated as part of outreach and visioning, they are trying to identify goals and values and incorporate that into the design. Additionally they take into consideration costs and sustainability. Ms. Carpenter concerned with balancing the needs of a variety of communities and having all three towns embrace the project. Dr. Mulqueen indicated that the project will be done within their means. Selectman Dunn asked if funds are already committed from MSBA. Jon Lemieux from Vertex indicated that MSBA has indicated their commitment by letting the town enter the process. Selectman Watson asked about moving students while construction is ongoing. Mr. Dorr indicated that cost is not reimbursed by the MSBA. Mr. Dorr also stated field houses and artificial turf are not reimbursable.

Selectwoman Carpenter asked if the Senior Center could be included. Ms. Dembkoski indicated that in Swampscott the Senior Center was put at the high school and was not covered by MSBA.

Rt. 97 Project concerns to be discussed with the Mass DOT and A.R. Belli.

Bill Keaveney from A.R. Belli Company addressed the list of issues provided.

1. The mailboxes were set with expansion joints that would allow them to be replaced if needed. Selectman Watson indicated it seems like some do not to have expansion joints. Selectman Dunn was concerned about mailboxes being snapped off by plows and how they will be replaced. Mr. Keaveney will recheck them.
2. Mr. Keaveney indicated they checked the manholes and a couple appear to be a little low but the yield of the asphalt is correct and it shouldn't be a problem. Selectman Watson indicated they are not level. Mr. Keaveney will check the ones that have a bump.
3. This item has been corrected but Mr. Keaveney will check it again.
4. The entrance was done according to the plan.
5. Some variances are by design to help with water collection and some because of the need to comply with ADA. Selectman Watson indicated there were some that were not in a transition. Selectman Watson will provide locations for Mr. Keaveney to check.
- 6 and 7. Mass DOT didn't seem to have an issue with the one area that was identified. Selectman Watson identified two other areas and Mr. Keaveney indicated those are as per specifications.
8. Work on this issue should be completed this week.
9. Unaware of any areas where the height of curb is not at least 6 inches. If basin on downgrade it would not be set level. Selectman Watson will meet with Mr. Keaveney to review the areas.
10. Work is guaranteed one year from final acceptance which is expected sometime around November 15<sup>th</sup>. Mass DOT and town highway department determine final acceptance.
11. 50% of work done by A.R. Belli and 50% was subcontracted.

Chairman Wood asked how does a person file a claim for damages to personal property? Mr. Keaveney indicated they could file through the state or contact his office directly.

Selectwoman Carpenter wanted to know what role the Groveland highway department played with the design and implementation of the project. The highway department selected the design company but once the project started Mass DOT was responsible for oversight of project. Selectman Dunn indicated Center Street blinking light black pole location is going to be a problem. Mr. Dunn also stated that the design of the strapping across the driveways and the sidewalks is flawed because plows will be ripping them up. Mr. Dunn asked if the area at Salem Street and School Street will be seeded. Mr. Keaveney stated that if it was disturbed, it will be reseeded.

In response to a question from Selectman Watson, Mr. Keaveney indicated there wasn't a crosswalk across Route 97 at Bagnall School on the plan so one was not put there and they will not infringe the seam in the middle of the road.

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Wood St Property Exchange-Vote to accept and sign Exchange Agreement and authorize legislative action

Ms. Dembkoski indicated the Dehullu's, agreed to change in Section 2.1, from \$8,000 to \$12,000. With regard to Section 11, these are costs the Town must pay to file; however these costs are covered under Section 2.1 so the Town is not paying any costs.

Selectwoman Carpenter made a motion to accept and sign the Exchange Agreement and authorize a legislative action on the Wood Street property exchange; Seconded by Selectman O'Neil; voted 5-0-0.

Personnel ByLaw Discussion

Selectwoman Carpenter made a motion to table this discussion until a future meeting; seconded by Mr. Watson; voted 5-0-0.

**VOTES OF THE BOARD**

Minutes from October 2, 2017

Selectwoman Carpenter made a motion to approve the minutes from October 2, 2017; Selectman Dunn seconded; voted 5-0-0.

Request from the Road Commissioner to declare three items as surplus:

1988 Mack RD600 Dump Truck – estimated value \$7,000

2001 Chevrolet Silverado Pickup Truck – estimated value \$200

300 linear feet of Turbidity Barrier – estimated value \$2,000

In response to a question from Selectwoman Carpenter, Ms. Dembkoski indicated that, per the Board's policy, once items are declared surplus, items are offered to other town departments, then if they are still surplus and under \$10,000, they would go to auction. Items over the \$10,000 threshold must be disposed of in accordance with MGL Ch. 30B. Selectwoman Carpenter made a motion to accept the request from the road commissioner to declare the 1988 Mack RD600 Dump Truck, the 2001 Chevrolet Silverado Pickup Truck and the 300 linear feet of Turbidity Barrier surplus; Seconded by Selectman Dunn; vote approved 5-0-0.

Selectman Dunn made a motion that the minimum bid for the items be the listed value indicated in the request; Seconded by Selectman O'Neil; voted 5-0-0.

One Day Liquor License for a Family Birthday Party at Veasey Park on November 25, 2017 between the hours of 1:00 P.M. and 5:00 P.M.

In response to questions from the Board, Ms. Dembkoski indicated a detail officer is required, all paperwork has been submitted and 70-100 people are expected.

Selectman Dunn made a motion to accept the one day liquor license for a family birthday party at Veasey Park on November 25, 2017 from 1:00PM-5:00PM; Seconded by Selectman Watson; voted 5-0-0.

**OLD BUSINESS**

Selectman Dunn thanked on behalf of the Pumpkinfest, Deb Stewart, Selectman Watson, Heavenly Donuts and Ingaldsby Farm for all their donations and also thanked Denise Dembkoski, the police, fire, library and water department for their hard work and all the people that came to the event and that dropped off pumpkins and supported Pumpkinfest.

Selectman Dunn asked the Board to schedule an Executive Session for Salem Street land sale. The Board agreed to 5:30PM on November 13<sup>th</sup>.

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Selectman O'Neil asked about the Town Planner position. Ms. Dembkoski indicated one applicant was interviewed but was not right for the position. It is still posted and was sent to Massachusetts Planning Association listserv.

In response to question from Selectman O'Neil, Ms. Dembkoski stated that maintenance for Bagnall Fields is being done could be covered without increasing fees.

Mr. O'Neil asked about a curbside leaf pick up service for residents. It is not part of the trash contract but Ms. Dembkoski can check with Waste Management to see if they provide this service.

Ms. Dembkoski stated that any move with the water department will not happen until the spring.

Mr. O'Neil inquired about recouping some of the cost of insurance for Veasey Park. Mr.

Dempsey hopes to be able to pay some of the cost and will know more at the end of the fiscal year.

Chairman Wood stated he would write the speech for Veterans Day and the Board was fine with that.

Hot top at Bagnall School is planned to happen when they do the work for the light department.

### **CORRESPONDENCE**

Minutes from October 16, 2017

KP Law's Response to the October 5, 2017 Open Meeting Law Complaint of Kathleen Prunier, as prepared and submitted to the Attorney General's Division of Open Government.

### **FINANCE DIRECTOR'S TIME**

Ms. Dembkoski thanked Bill and Theresa Dunn for all their help with the Pumpkinfest and confirmed Trick or Treat is on Tuesday from 5:30-7:30.

### **SELECTMEN'S TIME**

Selectman Dunn thanked fire, police and highway departments and electric company for their work during the storm.

Selectwoman Carpenter asked for the next Executive Session for the Fire Chief to be scheduled for 5:30PM on the November 27<sup>th</sup>.

Selectman O'Neil asked residents to drive carefully on Halloween. Mr. O'Neil would like to add to the agenda a discussion about changing some elected positions to appointed positions. Ms.

Dembkoski stated that the Finance Committee is recommending the Road Commissioner position be changed and will be placing an article on the next Town Meeting.

Selectman Dunn made a motion to adjourn at 9:12PM; seconded by Selectman Watson; voted 5-0-0.

The next regular meeting will be held on **Monday, November 13, 2017** at 6:30PM.

Respectfully submitted by: Laurie Burzlaff, minutes clerk

\*\*\* Unanimously Approved on November 27, 2017 \*\*\*