

Groveland Board of Selectmen
Meeting Minutes
March 20, 2017

Present: Selectman Ed Watson, Selectman Daniel MacDonald, Selectman Michael Wood, Selectman O'Neil arrived at 8:08 p.m.

Absent: Chair William Dunn

Others Present: Denise Dembkoski (Finance Director)

Recorder: Melanie Rich

The meeting was called to order at 6:35 p.m.

RESIDENT/PUBLIC COMMENTS: None

APPROVAL OF WARRANTS:

Selectman Wood made a motion to approve PW#17-37 in the amount of \$139,587.31; Selectman MacDonald seconded; all voted in favor; warrant approved.

Selectman Wood made a motion to approve DW#17-35A in the amount of \$26,218.71; Selectman MacDonald seconded; all voted in favor; warrant approved.

Selectman Wood made a motion to approve BW#17-37 in the amount of \$420,096.17; Selectman MacDonald seconded; all voted in favor; warrant approved.

APPOINTMENTS:

Selectman MacDonald made a motion to appoint Thomas Denoi to the Stormwater Management Committee through June 30, 2017; Selectman Wood seconded; voted 3-0-0.

Selectman Wood made a motion to appoint Joseph McMains of Haverhill to the position of Reserve Police Officer through June 30, 2017; Selectman MacDonald seconded; voted 3-0-0.

Selectman Wood made a motion to appoint Joel Henriquez of Methuen to the position of Reserve Police Officer through June 30, 2017; Selectman MacDonald seconded; voted 3-0-0.

Selectman Wood made a motion to appoint Dwight McDonald as a Secondary Records Access Officer handling Police Department public information requests through June 30, 2017; Selectman MacDonald seconded; voted 3-0-0.

DISCUSSION AND POSSIBLE VOTE:

Clean River Project Discussion – Richard Ross (Clean River Project) said the project started 13 years ago by Rocky Morrison and has expanded. Over the course of time, Mr. Morrison was able to put more of an effort into it and pontoon boats were put in, machinery was contributed, there was fund raising, and there was a site they used to dock their equipment. The packets submitted to the board included photos of debris from various sources which harms the health of the river. The costs for insurance and equipment has risen over the past 13 years. He said it needs to be a continual operation to keep the river clean. There are 15 cities that abut the river and each of those cities should take part in the responsibility for their own benefit; it is an asset that needs to be preserved. Getting money from the state or federal government is dramatically reduced now. He said the local governments need to step up and make a contribution. They are approaching every town that abuts the river asking for \$18K/year; it would allow them to do everything they need to do. In the coming year, Mr. Morrison will hire two professional Coast Guard certified boat operators;

administrative help will also be needed. At the end of each year they will provide a report; every two years they will review the budget and adjust it accordingly. Property values will increase if the river is healthy. Mr. Morrison would like to add a boom on the Groveland shoreline. Everyone he has met with has a positive attitude about joining a coalition and is hoping to build a relationship with Groveland and maintain the shorelines. Selectman Wood asked if they are able to go after the owners of the cars pulled from the water. Mr. Morrison said it is usually a stolen vehicle, the tow yard takes and they never see it again. Selectman Wood asked how it has been paid for the past 13 years. Mr. Morrison said they have received small grants and fund raising, and high school students interested in the environment have also volunteered and cleaned it up. Selectman Watson asked what money are they getting from other communities. Mr. Ross said no communities have signed on yet, but the mayors of Methuen, Lawrence, Lowell, Newburyport have said they are 100% behind it. Selectman Wood said shouldn't the cities and towns you know are the big culprits be paying more for the clean-up. Groveland is a small town and our shoreline is not nearly as long as the bigger cities. He would think our contribution would be a very small percentage than what the bigger cities are dumping in there. Mr. Ross said from here down dumping is very little, but Groveland is getting the adverse effect. He said it would be hard to allocate it and feels it is not a huge amount of money so let everyone jump in and pay it. Mr. Ross said towns downstream benefit more than those upstream. Selectman Wood asked if they are working with EPA or state legislature to get grants. Mr. Morrison said there are very little grants available. The EPA has only had one grant in 13 years and it was for \$2K. Mr. Ross said on the state side, Kathleen O'Connor Ives and Jim Kelcourse support the idea. Mr. Morrison said \$18K may be a lot, if the amount needs to be reduced, he is flexible. Selectman MacDonald appreciates what they are doing. He thinks the discussion should include some proportionate allocation methods; doesn't think Groveland with its 6,000 residents should be on par with the multi-million dollar budget in the City of Lawrence. If they are the source of the pollution, they should pay for it; perhaps legislation is needed. Mr. Ross said if you're not going to contribute, you're not going to stop the problem. Selectman MacDonald said equal allocation is not proper; he would not cast his vote in favor of that. Selectman Wood asked if it could be done by the percentage of the population. Selectman Watson said it is a worthwhile project but doesn't know where we would come up with the money. Selectman MacDonald asked Mike Dempsey if there was CPA funds available for it. Mr. Dempsey said it would not qualify for CPA funds because it is an ongoing project, but will contact the state CPA for an answer. Selectman Wood said if it is something we can do as a one-time project, he suggested taking it to the other towns to see if they could do the same. He said we've had to make cuts with the current budget and to come up with \$18K right now would be near impossible. Mr. Ross is looking of vote of approval. The board cannot vote approval without going through a warrant process, budget and town meeting approval. Selectman MacDonald suggested contacting the local legislative representatives; if we can't use CPA funds, maybe the law can be amended for environmental clean-up of the Merrimac River. Selectman Watson suggested contacting the boat owners at the boat ramp to volunteer; they are respectful of the river. Ms. Dembkoski said to send her the information; she has a database of all the boat owners. The Eagle Scouts could possibly be used for one of their projects. The board can write a letter of support stating that it is a good idea, but cannot do anything financially at this time. Selectman Wood made a motion that the board write a letter in support of the Clean River Project; Selectman Watson seconded. A friendly amendment was made to support the merits of the project, but not support funding at this time given our budget. Selectman Wood accepted the friendly amendment; voted 3-0-0.

Volunteer of the Month Nomination – A nomination was received for Bob Guptill. His knowledge of Groveland history is outstanding. Selectman MacDonald made a motion to nominate Bob Guptill as volunteer of the month; Selectman Wood seconded; voted 3-0-0. Ms. Dembkoski will prepare the certificate and invite Mr. Guptill to the next meeting.

Selectman MacDonald voted to close the Town Meeting Warrant; Selectman Wood seconded; voted 3-0-0.

FY18 Budget and Town Meeting Warrant Article Discussion:

Special Town Meeting Warrant Articles:

Article 1 – 894 Salem Street rear parcel. Town meeting voted to sell the front parcel; we need to do the second parcel before we put it out; it allows the board to sell the two parcels.

Article 2 – Inter-departmental transfers.

Article 3 – Bagnall Article. \$30K from FY16 free cash to the Bagnall Building Improvement account to allow improvements to the Building School in terms of security and safety.

Article 4 – Anticipated free cash uses. She will take \$15K to backfill the Snow and Ice deficit

Town Meeting Warrant Articles:

Articles 1-4 are standard Articles. Article 2 is Chapter 90 (we don't have the figure from the state yet).

Article 5 – Blank (the budget will be inserted here).

Article 6 – Water budget.

Article 7 – Sewer budget.

Article 8 – Standard Article to fix compensation in the budget.

Article 9 – Overlay surplus.

Articles 10-13 are free cash Articles. \$175K to the stabilization account; \$75K to the capital stabilization account; \$85K to the OPEB account. Ms. Demboski explained that last year we only needed to transfer \$34K free cash to close the budget deficit. Using \$85K of free cash to balance the budgets starts us off at an \$85K deficit next year. Selectman MacDonald said the OPEB obligation is \$145K and we are not keeping up with it. He feels if it is left off it will not be addressed in the coming years; we need it as a line item; we need to pay as we go. Selectman Wood said we do need to find a way to fund it but thought we had it funded and was using free cash to do something else. Ms. Demboski said we are funding it. Last year it was a line item in the budget; this year it is not. If it is in the budget and voted on, and there is no free cash to close the budget deficit next year, you will have to find it elsewhere in the budget. She said there was nothing to cut to make the \$85K a reality. Selectman MacDonald made a motion to transfer \$85K to the budget to fund the OPEB; Selectman Wood seconded; voted 3-0-0.

Selectman O'Neil arrived to the meeting.

Article 13 – MS4 Permit.

Articles 14-17 are from the Water & Sewer Department. They are using their retained earnings to do numerous projects (Governors Road, 32 School Street renovations, Main Street/Gardner Street project); Article 17 – 32 School Street (coming from the Sewer retained earnings).

Article 18 – Gravity sewers in the Route 97 project.

Article 19 – Capital Improvements Article (funding senior center design, Tasers, line cruiser, portable radios for the fire department). Not funding the Highway Department truck, or the Squad 1 for the Fire

Department. The Road Commissioner is fine going an extra year without the truck but asked to increase his vehicle maintenance line item by \$6K. After all is funded, \$9,987 would be left in free cash.

Article 20 is a request from bond counsel to bring the past borrowing into compliance as well as any future borrowing.

Article 21 – The Highway Department leases a front-end loader every five years. We have never had legal authorization to enter into those leases. The language will allow for that.

Article 22 is a request from the Finance Board. They are looking to lower their membership from 9 to 7 members.

Article 23 is adding a new section to the bylaws. The Municipal Modernization Act changed the requirements for Revolving Funds. It places them in the bylaws and the board only has to authorize the maximum amount to be spent.

Articles 24-29 are the Revolving Fund Articles for this year. The bylaw cannot take effect until 2019.

Articles 30-35 – Community Preservation Articles.

Article 36 – Standard Community Preservation transfers.

Articles 37 & 38 – Each year the Conservation Commission transfers out of their fees account. In the past, they have transferred it to the expense account. They are asking to transfer \$13K to the salary account; \$2K would go into their expense to cover the expenses of the office.

Article 39 is to convey a gift of Conservation Restriction (CR) to the Commonwealth of Massachusetts for Uptack Road and Stephenson's Way. Selectman Watson asked if it would open the area up to hunting and trapping since Fisheries and Wildlife gave them some money. Mike Dempsey said turning over the CR on the 24 acres is only going to allow hunting on approximately one extra acre of land because hunting is not allowed within 500' from any residences. The Commissioners felt the impact to do this is minimal when the benefit is that we can do the CR on the 3 parcels and not use CPA funds to pay someone to take the CR.

Article 40 is transferring ownership of 9,000 square feet of land located on 34 Wood Street.

Article 41 is the Zoning Bylaw if the Planning Board intends to move it forward. Ms. Dembkoski said according to the Attorney General, the Article would have the entire current Zoning Bylaw deleted and replaced it in its entirety; no notations, no colored text. Her concern is that it will be confusing and overwhelming to some. The summary cannot be put in the warrant, but can be distributed and spoken about at town meeting.

The Articles will be voted on April 4th.

Selectman MacDonald talked about the land transfer; he is not sure of what is proposed and what's in the best interest of the town. Ms. Dembkoski said it is authorizing the BOS; town meeting can give the authorization, but it would then be the board to put it out. The interested party has made some agreements as to what they will cover; it is with Town Counsel for review to make sure what is being proposed is legal. Mike Dempsey will have final information for the board to take into consideration on April 3rd.

FY18 Budget - Ms. Dembkoski explained the revised spreadsheets for the board. Currently it is a balanced budget (before adding the \$85K OPEB fund). The balanced budget includes salary increases. The Planner position was put in the budget, rather than a separate Article, at the request of the board. Selectman

MacDonald asked if there were any COL expenses included or any individuals that exceeded 2.5%. Ms. Dembkoski said every salary line is a straight 2%.

VOTES OF THE BOARD:

Selectman O’Neil made a motion to approve the February 21, 2017 Meeting Minutes; Selectman Watson seconded; voted 3-0-1.

Selectman Wood made a motion to approve the February 27, 2017 Meeting Minutes; Selectman O’Neil seconded; voted 4-0-0.

Selectman Wood made a motion to approve the February 21, 2017 Executive Session Meeting Minutes; Selectman O’Neil seconded; voted 4-0-0.

OLD BUSINESS (Unfinished Business):

Selectman Wood talked about having a non-binding ballot question for a growth facility for a medical marijuana (only cultivation) in Groveland. Selectman MacDonald said he is opposed but will not obstruct the will of the people in town if they want it. Selectman O’Neil asked if they were still offering benefits of a host city. Selectman Wood believes so but contract negotiations could be changed in the coming months depending on what the state wants to do. The first step is to see if the residents of Groveland want to allow a growth facility only in town, no dispensary, and see if we can work out something beneficial to Elevated Access and Groveland within the constructs of what the town feels appropriate. Selectman MacDonald said two of the members on this board voted against it and are up for re-election; there is always a referendum on an election; if somebody disagrees with his position on marijuana they could choose a pro-marijuana candidate. Selectman Wood said he would like the town to vote as a body and not just the BOS. Selectman MacDonald said the people he has spoken with that were okay with the issue want to know more information, such as how much money are we going to get, etc. Selectman Wood said that would be part of the negotiations. Selectman MacDonald said if he wants to pursue it he would have to draft a question in such a way that it’s tailored to what you want to obtain an answer to. Selectman Wood said the question would be (a) are you in favor of a growth facility, and (b) the yea or nay would be that the BOS would be authorized or not authorized to have talks with Elevated Access to decide what we may or may not be able to contractually negotiate. Ms. Dembkoski said the BOS should not be referenced. The article will state “are you in favor of a medical marijuana cultivation facility in an Industrial Zone in the Town of Groveland”. She will have Town Counsel review the question. Selectman Wood made a motion to put on a non-binding ballot question as read by the Finance Director; Selectman O’Neil seconded; voted 3-0-1 with Vice Chair Watson abstaining.

Selectman MacDonald has not heard any information on the bill proposal for use of CPA funds for the Center Street proposal. Ms. Murphy will be asked to follow up with Senator Tarr and Representative Mirra.

Selectman MacDonald asked the status of the review of the restrictions on Center Street. Mike Dempsey said it just came back from the state. He will know in a few weeks if they are ready to go forward and will bring it back before the board.

Selectman MacDonald asked the status of the firing range. Ms. Dembkoski said the land has been cleared and it is ready to be excavated.

CORRESPONDENCE:

1. March 6, 2017 Meeting Minutes.
2. March 6, 2017 Executive Session Meeting Minutes.
3. Letter from Comcast regarding Commencement of Renewal Process.

FINANCE DIRECTOR'S TIME:

Ms. Demboski said the RFP for land sale on the five contiguous parcels has had very minimal interest to date; it is due back April 21st. The bid for the well at the Pines was put out last week; it is due back April 3rd.

SELECTMEN'S TIME:

Selectman O'Neil said the president's proposed budget proposes cuts in education in the \$4-\$5 million range; that will affect the town in an adverse way. Selectman MacDonald said if they cut the budget at the federal level and follow it up with a corporate flat tax of 15%, jobs will be retained in the country which will generate additional revenue and we will be able to afford to pay things locally. He thinks it will all work out.

Selectman O'Neil was late because he was attending the Pentucket Basketball Banquet. He congratulated the freshmen, junior varsity and varsity teams; it was a great year and they made parents proud.

Selectman Watson congratulated the Highway Department for the way they handled the last storm; they did a fantastic job. Selectman O'Neil agreed.

The next regular meeting will be held **Monday, April 3, 2017** at 6:30 p.m.

Selectman Wood made a motion to adjourn; Selectman MacDonald seconded; voted 4-0-0. The meeting was adjourned at 8:37 p.m.

*** Unanimously Approved on April 18, 2017 ***