

Groveland Board of Selectmen
Meeting Minutes
July 10, 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 6:31 p.m.

RESIDENT/PUBLIC COMMENTS: None tonight

APPROVAL OF WARRANTS:

Chair Wood made a motion to approve PW#18-01 in the amount of \$175,811.90; Selectman Watson seconded; voted 5-0-0; warrant approved.

Chair Wood made a motion to approve DW#17-51A in the amount of \$33,951.28; Selectman Watson seconded; voted 5-0-0; warrant approved.

Chair Wood made a motion to approve BW#17-51C in the amount of \$651.00; Selectman Watson seconded; voted 5-0-0; warrant approved.

Chair Wood made a motion to approve BW#17-53 in the amount of \$174,600.33; Selectman Watson seconded; voted 5-0-0; warrant approved.

Chair Wood made a motion to approve BW#18-00 in the amount of \$1,572,345.83; Selectman Watson seconded; voted 5-0-0; warrant approved.

Chair Wood made a motion to approve BW#18-01 in the amount of \$197,282.24; Selectman Watson seconded; voted 5-0-0; warrant approved.

RECOGNITION:

Chair Wood read the citation for the May Volunteer of the Month, Lisa Soep. She was thanked by all for her outstanding dedication in volunteerism to the Town of Groveland. Ms. Soep spoke of the renovation project at Washington Park and said it was completed and came in under budget.

APPOINTMENTS:

Selectman Watson made a motion to appoint Children's Librarian, Darcy LePore as Acting Library Director at an annual salary of \$62,200 effective August 1, 2017 and continuing until such time as a permanent Director is in place; Selectwoman Carpenter seconded; voted 5-0-0.

Selectman Dunn made a motion to appoint Jason Normand to the Zoning Board of Appeals through June 30, 2020; Selectwoman Carpenter seconded; voted 5-0-0.

Selectman Watson made a motion to appoint Ronda Carducci (Unenrolled) to the Board of Registrars for an initial term of two years through June 30, 2019; Selectwoman Carpenter seconded; voted 5-0-0.

Selectman Watson made a motion to appoint Susan D'Angelo (R) to the Board of Registrars for an initial term of three years through June 30, 2020; Selectman Dunn seconded; voted 5-0-0.

DISCUSSION AND POSSIBLE VOTE:

Memorandum of Understanding with Pentucket Regional School District regarding the Integrated Pest Management (IPM) at the Bagnall School – Chair Wood said there was discussion and debate as to who owned the field and who had to maintain it. This MOU covers all of Bagnall for the IPM, but the town is still maintaining the field. Ms. Dembkoski explained that the weeds at the field could not be treated because the IPM did not specify certain herbicides/pesticides. Because we are the town and it is more than 50% occupied by a school facility, it is the school administration who has to update the IPM. Selectman Dunn made a motion to approve the Integrated Pest Management (IPM) as written; Selectman Watson seconded; voted 5-0-0.

Bagnall School Grounds Discussion – Chair Wood said he had prepared a presentation that could not be projected tonight. It showed the timeline of when it was started (October 26, 2015), what it included and the steps that followed by month, by project, and by payment, along with before and after photos.

Jim Day (2 Cottles Ferry Lane) publicly thanked Mr. Dunn for volunteering his time. He also thanked Ms. Dembkoski and Chairman Wood for pursuing the IPM plan; without it, the fields would go back to what they were. He asked about the fence. Chair Wood said the plan is to remove the chain link fence and replace it with a cedar post fence. The options for what will happen behind at the tree line need to be discussed. Mr. Day submitted a proposal to the board. He met with Matt Morris who treats the fields at Whittier, Pentucket and Elm Park. Mr. Morris would be happy to help with any questions regarding the IPM Plan. He spoke with Dan Stuart (softball) and Joe Campbell (baseball) regarding the baseball in-fields; softball had no interest; baseball would like them for practice. The in-fields are covered with weeds and hard to maintain. Baseball uses Oasis to upkeep the in-fields; they are serviced twice a year (spring and fall) at a cost of \$600 per field, which includes grass cutting; our in-fields are clay. He explained the IPM fertilization plan and applications (\$3,500). He said approximately \$30K was left in the project after the permanent fence. He would like to see the \$30K be used to start a Bagnall maintenance fund. He commented that Mr. Catsonguay said the Summer Program will have a profit of approximately \$12K. He said if 30% of whatever they bring in for a profit from the summer program could go into the fund as well they could keep adding to it. Another idea was to put corporate sponsorship signs on fences; Dr. Mulqueen has okayed corporate sponsorship at the school. Mr. Day had a concern about the discussion that money be used for paving the side parking lot; he said using money for that was not discussed in October 2015. Ms. Dembkoski said the Bagnall School project had \$32K left in their account and they turned over to us; it was added to this project to take into consideration the paving. We told them we would try to get that side parking lot paved because they were turning it over to us, which is what they were going to use it for. Mr. Day's opinion is to take one project and complete it, and completing it means to have a maintenance fund in place. He said one of the baseball fields at the shortstop has a manhole cover from the old septic tank; it would have to be removed; Bob Arakelian will remove it.

Chair Wood is in favor of the maintenance plan and felt the Summer Program should contribute towards maintenance, but we don't know the overage every year. He said the \$30K left was technically promised to pave the side parking lot, but he would be in favor of using some of it. Ms. Dembkoski said there was no requirement when the Bagnall Building Committee turned it over, but it was hoped that it would be paved. Chair Wood said the tree line also needs to be considered with that money. Keeping the clay fields was discussed; they will be used. Chair Dunn agreed with the proposal; the time and money has been put in; let's complete it. Selectwoman Carpenter is comfortable with the proposal and made a suggestion to Selectman Dunn that he disclose that any work he does there is as a member of the Groveland community, not as a Selectman, in the event issues arise. Selectman O'Neil thanked Mr. Day for recognizing Mr. Dunn's

charitable donation and hard work that has been done; he was vilified by more than one person and it was absolutely wrong to treat a man who has done so much at his own expense. He likes the idea of the Summer Program contributing. He would like to see the side parking lot paved. He thinks \$30K is a lot to put in right away. He thought corporate sponsorship may not be as lucrative as thought, but there are other ways. Chair Wood's thoughts for the \$30K left was to use \$15K to do as much of the asphalt area as possible; use \$6K for the fence in the back, and start a maintenance fund with the remaining \$9K. This would maximize as much of the project as possible. Mr. Day thought that was fair.

Joe D'Amore (9 Cherry Tree Lane) submitted for the record a history of how the BOS came to their decision. He asked Mr. Day if his proposal had a component that says a non-profit organization will manage or maintain the field. Mr. Day said there is nothing in it that says baseball should put anything towards it because in the discussion they were not sure if they needed the fields right now. Mr. D'Amore said if a way can be found to maintain the property exclusively on an existing revolving fund, the \$30K could be used to do one-time projects. The highway department requested funds for three years for additional people; it was always denied. He hopes the town will say yes now that there will be a maintenance program for the Bagnall School. Chair Wood said it is getting to the point that another person will be needed; we will be looking at it in the next budget cycle.

A resident from 15 Yale Street had a concern with the fence being put in and wants to make sure there is an access way to get back there to get to the school. She also wants to make sure that the teachers can still use the natural surrounding woods for their educational purposes. The Chair said spaces could be put between the posts so you can walk, but not use dirt bikes.

Barbara Benanti (50 Wood Street) asked who maintains the front of the school. Chair Wood said the administration and district are responsible for maintaining that portion (front and side by the gym). The back is the responsibility of the town.

Mr. Day asked if any other seeding or treatment would be done before fall. He was told that Prescription Turf cannot get back out there until the end of August/early September because the second round of seeding was done on June 5th and you have to wait a few months before re-fertilizing.

Kathy Kastrinelis asked why don't we put the money into our town budget and take care of it. Selectwoman Carpenter believes the district maintains the front as a courtesy, and is not their responsibility; she thinks it belongs to the town. She also thinks there is some value to having a point person; Selectman O'Neil agreed. Mr. Day agreed to be the point person.

Selectman O'Neil said we need to find a way to permanently fund it or we will run into a problem in the near future. Ms. Demboski said Mr. Castonguay said he would be happy to build it into his maintenance budget. You can't create a revolving account if you don't have revenue coming in from a source. She can ask Bob Arakelian how much can be paved or the amount to be paved and can ask Mr. Castonguay to add that into his budget going forward. She has increased the Lawn and Grounds budget this year; it could cover it if needed to until it is worked out. Selectman Dunn said going forward we should put money in the budget to cover all the buildings. Chair Wood said we will get more information on the asphalt and pricing for the chain link fence for the wooded side of the field, and should have a decision within the next few meetings. He thinks that is the most equitable way to go forward; Mr. Day agreed. He said as the point person, he will look into corporate sponsorship. Ms. Demboski cautioned him about putting corporate sponsorship out back in the grass field where the elementary children are because a cedar fence will be installed. Mr. D'Amore suggested asking Mr. Castonguay for \$6,500 to take care of both the front and back and increase it 2%, still flatlining Mr. Castonguay; the 2% would come from the town budget. He also suggested giving Mr. Day a special charge renewable every year to be transparent and prevent any potential problems. Selectman O'Neil asked if there would be a conflict of interest due to his position at the school (Phys Ed Teacher). He will reach out to Dr. Mulqueen to make sure there is no conflict of interest.

Selectman O’Neil hopes that Mr. Day can create an organization that will continue long after the players have changed. Mr. Day said they are talking about forming a group that will be able to do that.

Kacy Bailey (Zoning Board Chair), Requesting a Waiver for a ZBA Hearing – Chair Wood explained that Ms. Bailey is an abutter to a hearing that will be held on July 19th for 21 Elm Park and recused herself from participating. The issue is that there are not enough members to meet a quorum. She filed a disclosure letter with the state. Chair Wood is also an abutter and cannot participate. Ms. Bailey is asking that the BOS grant her approval that she can sit on the board to allow the proposal to move forward. Ms. Bailey told Chair Wood that she would be impartial and conduct herself as someone on the Zoning Board should while hearing the facts of the submission and determining her decision. Ms. Dembkoski said the board appointed Jason Normand to the ZBA earlier tonight, they now have a full board. It is not so much a quorum issue, it is more if someone can’t make it. This BOS as the appointing authority has the right to say if they feel she can make an impartial decision and can waive her recusal. Having no issues with her credibility, Selectman Dunn made a motion to approve Kacy Bailey’s (ZBA Chair) request for a waiver of the ZBA hearing on July 19th for 21 Elm Park. She has provided all the necessary paperwork and stated that she can be impartial. Selectwoman Carpenter seconded; voted 5-0-0.

Route 97 Update with Bill Keaveney (Contractor’s General Manager) – Mr. Keaveney (General Manager, A.R. Beli) said the project was split into two phases; the first phase roadway was completed with bituminous paving; curb operations on that section will start on Thursday; curb and sidewalk on the south side will follow. Ongoing at the same time is the second phase of reclaiming. The injection for the next section is scheduled for July 26th; the pavement for that section is scheduled for July 30th. The curb work will take place next. The project limit seen now is as far as it will go; it will not go further than the first incline. They are behind on the original project schedule because of the design matrix for the roadway. They had to go to MassDOT to change the process; it is now faster, less expensive, and better safety involved. The plan is to be done before the end of the construction season this year. Selectman Dunn asked if they are going to widen the sidewalks going south. Mr. Keaveney said any sidewalks in place now will be removed and replaced. Selectman Watson asked why can’t they fill some of the holes on Salem Street (west of the Chinese restaurant) where the old pavement meets. Mr. Keaveney was not aware of that. He said until the reclaiming gets fully compacted, it does tend to unravel a bit. They do have provisions to run a grader over it to fill the holes as they go. They will try to keep addressing the issues. Selectman Watson said at the end of the day there was a large amount of equipment; people cannot make a left turn into any of the businesses. Mr. Keaveney said when you’re running on a dirt road, sometimes you don’t want a lot crossover of traffic because it can be a hazard. He will look at addressing that going forward. Selectman Watson ask the plan for dust management. Mr. Keaveney said because calcium chloride breaks down the oil in the new product, they can’t use it. There will be a much more aggressive watering program; they will do it 3-4 times/day. Selectman Watson asked if there was a contact number for resident complaints. Mr. Keaveney will email Ms. Dembkoski the project manager and resident engineer telephone numbers to put on the website.

Mr. Keaveney said the project will include new curbing on both sides of the roadway, concrete sidewalks, and asphalt driveways on the south side. The intersection will be reconfigured, two speed signs for the schools will be put in, there is a bit of wall reconstruction being done, and finally loam and seed. They plan to be out by mid-October. The town will have beneficial use before that. The goal is to try and get the curb and sidewalk done to the school entrance by Labor Day. The finished pavement, signage and striping comes in at the end of the project (late September/early October).

VOTES OF THE BOARD:

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

Final FY17 Transfers – After an explanation of the General Fund and Water Enterprise Fund transfers, Selectwoman Carpenter made a motion to approve the transfers outlined in the General Fund; Selectman Watson seconded; voted 5-0-0. Selectman O’Neil made a motion to approve the Water Enterprise Fund transfers; Selectman Dunn seconded; voted 5-0-0.

Certificate of Achievement to Benjamin Donald Wilson for attaining the rank of Eagle Scout – Mr. Wilson’s project was at the Crane Wildlife Management Area. He cleared the overgrown parking area allowing for easier access for hunters and emergency services, as well as constructed two informational kiosks to provide greater resources for all those who use the area. Selectwoman Carpenter made a motion to grant a Certificate of Achievement to Benjamin Donald Wilson for attaining the rank of Eagle Scout; Selectman O’Neil seconded; voted 5-0-0. The award ceremony will be held on August 5th at the Congregational Church.

OLD BUSINESS (Unfinished Business):

Selectman Dunn asked if the town accountant started; yes. Ms. Dembkoski thanked Ellen Petrillo and Patricia Rogers (Assistant Treasurer) for the work they did last week and today getting the payroll changes, final payroll and accounts payable for FY17 and first payroll and accounts payables for FY18; they were exceptional in getting those done.

Selectman Dunn asked about the pavilion damage. Ms. Dembkoski spoke with Kevin Cuniff and he will provide a quote tomorrow.

Selectman O’Neil said nice work on the paving on Main Street. If Gardner Street could be paved it would be nice. Governors Road is paved.

Regarding the audit review Selectman O’Neil noted that the year-end balance of the Library Trust was \$120,795 and asked how it is invested; it is not. It is a checking account and interest received per month ranges from .87¢-\$1.00. He said it is fiscal irresponsibility and needs to be addressed. It is not the best use of those funds for the patrons of the library. Taxpayers continue to fund the library when this money could earn much more than it does presently. Ms. Dembkoski said other accounts earn considerably more, e.g., the OPEB account that was started last year with \$85K receives \$600-\$1,000/month. Selectwoman Carpenter said some of the accounts have restrictions on how they can be invested; she would want to hear from the Trustees if there are any specific instructions. Selectman O’Neil said we never heard back from the Trustees or their counsel from prior requests when Selectman Dunn was Chair. Ms. Dembkoski said the money was to be under the custody of the treasurer for investment purposes; it is the library’s money to spend. Selectman O’Neil said \$12K/year in interest can do a lot.

Selectman O’Neil asked what the Town Clerk’s Office hours are. They are Monday 9AM-8PM; Tuesday-Thursday 9AM-4:30PM, closed Fridays in the summer. In October, Friday hours 9AM-12:00 Noon resume.

Chair Wood said he is meeting with Senator Tarr next Monday at the State House. As stated, he has had a few conversations with him and informed the board of everything he has done with him. He has asked Bill Dunn and Ms. Dembkoski to attend because (1) Bill is interested in the senior center and pursuing that project to make sure it gets the attention it needs, and (2) Ms. Dembkoski has a lot background knowledge and information on the town; she would be involved in any procurement. They will go to the meeting and report back to the board what transpired and what is available and decide as a group what to do with the senior center and with the lot downtown. Ms. Dembkoski commented that a realtor representing the gas station and the square came to the office today, said there was some interest, and checked the tax status.

Chair Wood spoke of an email from Selectwoman Carpenter which he felt was accusing him of acting outside the chair. She said it did not accuse; it was her understanding of the role of the Chair. Chair Wood said as a Selectman and resident he is permitted to talk to his state representatives, not as chair, but as a

person, just as she is available to talk to anyone in town on a topic. She said she can't make decisions. Chair Wood is not making decisions, he is talking to Senator Tarr about options available to the town and has stated that he is talking to him at every point at a Selectmen meeting. She said those disclosures need to be made before the fact and not after the fact. Chair Wood explained that this goes back a year ago when Senator Tarr came before the board and made a presentation about the downtown project. She again said the meeting should have been disclosed prior the meeting, not after. She has reached out to Jonathan Blodgett's office to get clarification on it and can provide the guidance they provided on open meetings. Chair Wood said he understands the open meeting laws and the tone of the email. He said she has already accused Bill Dunn of things that were found to be false and now she is trying to accuse him of things he's not doing. She said accuse is not the word, and part of due diligence is ensuring that she is following the proper process. If she is wrong she will state that; she is new and is going to seek guidance. Chair Wood said the problem is that when she is stating things to him, the board or to the public and they come to be wrong, the damage is already done. Whether she apologizes or not is irrelevant. She respectfully disagreed with that. She thinks they have a different view about what is appropriate discussion outside of the meetings. Chair Wood said he has nothing to hide when discussing with anybody; he is fully open about who he is meeting and what they are talking about. Selectwoman Carpenter said there are some scenarios where it is not appropriate, e.g., the email she got from Chief Lay about collective bargaining. She does not think it is appropriate to meet with him one-on-one to discuss contract issues. Chair Wood said but you can meet with him to hear his grievances and concerns. He met with him to hear about the grievances and concerns of his department, the growth of the department, the town, what his needs are and what the future holds, but nothing to do with his contract. She said will get guidance and he can continue to do as he sees fit. Selectman Dunn spoke with Senator Tarr when he was Chair and he said he is going to the meeting so he can hear what grants are available to the town for the elderly building. She does not think that is an issue because he is disclosing it in advance. The issue becomes when it happens after the fact. Chair Wood said Senator Tarr spoke with him at Chief Gillen's ceremony and said they should talk about some things that are going to happen or might be able to work on with us; he believes he told the board at the next meeting. He doesn't understand where the confusion is. She is seeking guidance from Jonathan Blodgett, Essex County DA who handles all issues regarding open meetings.

CORRESPONDENCE:

1. June 26, 2017 Meeting Minutes.
2. Letter from Philip & Pauline LaRoche regarding the Clean River Project.
3. EPA Notice for the postponement of the July 1, 2017 effective date of the MS4 Permit. Ms. Dembkoski said there was confusion as to what impact this would have on the town. When the engineer was here he stated that even if the EPA vacates the requirements, Massachusetts has still adopted the process. We are not sure if we would start right away or hold off for a few months while we get some guidance from the state. We don't want to do nothing and get penalized because we didn't follow the state guidelines. NH is starting the following year; some MA communities complained that it is too quick and want to be on the same timeline as NH. She will keep the board updated.

FINANCE DIRECTOR'S TIME:

She thanked the staff; they have been wonderful at the end of year; congratulations to Jackie Sullivan who retired June 30th.

SELECTMEN'S TIME:

Selectman Dunn asked if there was any movement on the Pines Rec area as far as the people who were going to work on the proposal. Ms. Dembkoski said the permits were supposed to be pulled for the drilling

of wells and dig safe is to be called this week. They are hoping to start the well within the next week or two. She has not heard from Recreation.

Selectman Dunn asked if there has been any work or planned work for the bathrooms; Ms. Dembkoski has not had time to follow-up. The Dockmasters are in place. He noticed there were not a lot of boats. Ms. Dembkoski said there have been issues with the moorings; they were old. She procured six new mooring blocks and needs to get chains before they can be put back.

Selectman O'Neil updated the board on the new high school project. They met last Wednesday; six project designers and architects have been chosen; the follow-up meeting is Monday. The Committee has selected three representatives that will represent the Building Study Committee. The designers will be interviewed and, with the MSBA, will pick the designer. Regarding the senior center, Glen Kemper (BOS, West Newbury) who is part of the Committee would like to build a center but lacks the funds. There was talk about combining resources; Selectman O'Neil thinks it should be explored. Another avenue to explore would be the sharing of the high school with seniors, but anything strictly senior center is not reimbursable by the state MSBA project. Ms. Dembkoski said Swampscott was the first to put a senior center in the high school. Selectwoman Carpenter asked if they used a mentoring program. Ms. Dembkoski said there was no formal mentoring program, but it happened that way. The seniors enjoyed interacting with the kids and the kids enjoyed interacting with the seniors as well.

Selectwoman Carpenter asked for an agenda item and if an executive session had to be held to discuss Chief Lay's contract. Ms. Dembkoski said for an executive session, the Chairman can call one or she can ask the board to vote on it. Selectwoman Carpenter also wanted to share with the board that she has the goal of trying to touch base with department heads to learn more about what they see as the issues as she learns this job.

The next regular meeting will be held **Monday, July 24, 2017** at 6:30 p.m.

Selectman O'Neil made a motion to adjourn; Selectman Dunn seconded; voted 5-0-0. The meeting was adjourned at 9:12 p.m.

*** Unanimously Approved on August 7, 2017 ***