

GLOCESTER LAND TRUST
REGULAR MEETING
September 14, 2016

The regular meeting of the Gloucester Land Trust took place on September 14, 2016 at the Gloucester Town Hall. Chair Stephen Mitchell called the meeting to order at 7:02 p.m.

Members in attendance: Stephen Mitchell, Russell K. Gross, Gene Cavaliere, Rebecca Schultz, Roy Najecki, Steven St. Pierre, Janine Pitocco and legal counsel John J. Bevilacqua.

Members Absent: None

Minutes: Judi Rix

Guests: Mr. David Chopy, (D.E.M., Compliance & Inspection Division), numerous hunters showing up to get hunting permits gathered in the hall until regulations were voted upon.

Pledge of Allegiance

Open Forum Agenda Items Only: No one present wished to speak at this time.

Approval of minutes of previous meetings

a. Roy Najecki made a motion to accept the minutes of the August 09, 2016 meeting; it was seconded by Janine Pitocco and passed unanimously.

Treasurer's Report: Treasurer Roy Najecki presented the trustees with a spreadsheet for expenses up to September 13, 2016 and with the annual budget column that was approved at the last meeting in place. The Signe Phillips account has still not been closed out, and that is unacceptable to Chairman Mitchell, so he will contact the Finance Office to find out why. Russell K. Gross made a motion to accept the report as presented; Steven St. Pierre seconded and it passed unanimously.

Approval of Bills

a. Russell K. Gross made a motion to pay John Bevilacqua's monthly legal services fee for August for a total of \$1,000; Steven St. Pierre seconded and it passed unanimously.

b. Russell K. Gross made a motion to pay the recording clerk Judi Rix \$145 for the August 09, 2016 meeting minutes, one hour preparation for hyperlink agenda on 8/09/16 (\$28.00) for a total of \$173.00 as well as the additional \$11.09 FICA charge to the town. Steven St. Pierre seconded the motion and it passed unanimously.

Russell K. Gross made a motion to go out of order and move New Business item "A" to the top of the agenda to accommodate the only guest present, Mr. David Chopy of the D.E.M.; Steven St. Pierre seconded the motion and it passed unanimously. Janine Pitocco mad a motion to also move New Business item "B" to the item right after since it involves the same topic; Rebecca Schultz seconded and it passed unanimously.

New Business

a. Hawkins Pond Dam Inspection Report: Mr. David Chopy of the D.E.M.'s Compliance & Inspection Division was invited to the meeting this evening by Chairman Mitchell to discuss the report. The D.E.M. is charged with inspecting dams as often as possible and submit a report to the dam owners. There are 650 dams throughout the state of RI and the D.E.M. hires outside engineers to help conduct the inspections. There are multiple classifications of dams, and the Hawkins Pond Dam is classified as a "High Hazard" dam. The classification has nothing to do with the condition of the dam, only how much damage and/or the level of impact it would have if it failed; the proximity of Route 44 and the residential

areas surrounding the dam are what give it the high hazard classification. High hazard dams require an inspection every two years. The dam was inspected in 2014 and the GLT received the report in June 2016. Chairman Mitchell was concerned that it took 2 years to get the inspection report. Mr. Chopy indicated the delay was due to the condition of the dam being good / fair, so the D.E.M. worked on notifying the owners of the dams in violation first. During the inspection, three areas are looked at and given a rating of either: good (no work needed), fair (needs a little maintenance), poor (beyond maintenance, needs repair) and in violation (needs immediate attention).

The 2014 inspection rated the following areas: the low level outlet was good, the embankment was fair and the spillway was fair. The D.E.M. will tell you what they believe needs to be done to maintain the dam in good condition, and never assesses penalties since the cost of fixing the dam is usually enough money spent. The dam will then be removed from the inspection rotation until it is fixed, then it will be put back on. It is much cheaper to maintain the dam before a problem gets too big and people get hurt, and it is critical that dams be kept in safe condition. The board needs to address the issues outlined in the report that rated the spillway and the embankment in fair condition.

b. Hawkins Pond Inspection 7/6/16 Update: In July 2016 the dam was inspected again, and Trustee Rebecca Schultz was present while it was being conducted; no report has come from that inspection yet. The board would like to see that report before they take action, and Chairman Mitchell would have a better understanding of what needs to be done so he can make a well-informed presentation to the Town Council. Mr. Mitchell asked Mrs. Schultz if the toe drain was inspected, and she was unsure if it was.

The spillway is probably the most important thing to fix, but until the board sees the most recent report, they are hesitant to make a repair that may not be up to standards in the next few years. Don't want to spend the money to only have to re-do the repair. Keeping the vegetation and weeds under control to allow for the dam to be available for inspection is a common violation, so it is important to stay on top of that. The board could hire an engineer to do boring if they wanted a more detailed inspection; 60-70% of dams fail due to the condition of the spillway. One of the recommendations from the D.E.M. was to complete a seepage and stability analysis of the dam. A complete analysis can cost up to \$20,000, or a quicker spillway capacity test can be completed for much less. To do the streamlined version, the board could wait for D.E.M. (could be years) or hire their own engineer. Mr. Chopy will send Chairman Mitchell a list of qualified engineers to help the board if they choose to take that route.

Other items that need to be addressed include what appear to be iron particulates (which could actually be bacteria) and creating a formalized maintenance manual. Mr. Chopy believes it might be iron attaching itself to bacteria that is showing up, but it would still need to be determined where the iron is coming from. The formalized maintenance manual is similar to a car manual, in that it informs you of when things should be fixed or replaced and what to look for to know there may be trouble. The board has already determined that regular maintenance needs to be put in place to address the issues outlined in the report. Mr. Chopy will send the board a copy of the Army Corps Operations Manual to provide them with an example and a place to start in composing the maintenance manual.

Things to consider/keep in mind: Create an inspection sheet that someone could take out to the dam and check on things. Overall, checking on the spillway once a month would be sufficient and also prior to a big storm if possible. The two gate valves on the dam should be tested once a year at the minimum. The last time the water was lowered, in 12-15 hours the pond dropped by six feet. A qualified contractor could help with some of the simpler maintenance tasks, but the board should consider having an engineer on call so that if a problem arose, they could call the engineer to get help. When removing stumps, they can either be pulled out or grinded but then the empty space needs to be filled to prevent leakage. Before any major work is done (repairs) permits are usually required; maintenance is different from repairs. Applications for permits would be submitted to the Dam Safety Program, not the Wetlands. Spring inspections are the most important due to the spring rains and additional water from snow melting.

Old Business

- a. Joe Sweet Trailhead Grant Status: Roy Najecki provided the board with an update on the 7000 square foot parking area project. Mr., Najecki will put together specs on this project so it can be put out to bid. John Bevilacqua will review what is compiled and it will be discussed at the October meeting.
- b. Abandonment of portion of Elbow Rock Road: Roy Najecki wanted to bring this to the attention of the board since people are bringing their trash up there and it is becoming a nuisance. The board needed to locate the documentation that it owned property on both sides of the road where the issue is, and then the topic must be brought to the Town Council since they are the only ones who can approve this. Stephen Mitchell will send the council a letter requesting they put this on one of their agendas for consideration.
- c. Adoption of Hawkins Pond Management Plan: The board was presented a draft of the updated Hawkins Pond Management Plan, but some trustees wanted more time to review it since they had not done so yet, so it will be postponed until the October meeting. Russell K. Gross made a motion to postpone the discussion and/or action on this item until next month's meeting; seconded by Janine Pitocco and it passed unanimously.

New Business

- c. Adoption of 2016-2017 Hunting Regulations and Evening Dates for permits: Chairman Mitchell wanted to address the fact that people in town seemed to know about the suggested changes to the hunting regulations discussed at the last meeting before the minutes had become public and before a vote could be taken as to whether they would be adopted with those changes. Mr. Mitchell reminded all of the trustees that they should not be discussing Land Trust business before it is on the public record, it is unethical and it is to cease and desist and not happen again. Chairman Mitchell had received an email from Polly Thompson-Hopkins about the change to hunting on Seldom Seen Farm and Roy Najecki received a phone call from a former GLT Chair that now lives in Virginia asking about the same thing. Recording clerk Judi Rix pointed out that the Finance Office and the Town Council liaison also receive copies of the draft minutes. Rebecca Schultz and Janine Pitocco wanted to restate their opposition to hunting on Seldom Seen Farm due to the dense residential population in the area, which they also expressed at the last meeting. Steven St. Pierre is not opposed to opening new areas to hunting, but suggests holding a workshop on this topic next year, and hold it in the summer so the regulations are in place well before the season begins. Roy Najecki made a motion to accept the 2016-2017 hunting regulations as presented; Russell K. Gross seconded and it came down to a tie vote with the Chair making the final vote to decide. The motion passed with a 4-3 vote. (Votes: Steven St. Pierre, Rebecca Schultz and Janine Pitocco voted against and the remainder of the trustees voted in favor.) Roy Najecki then left the meeting to conduct the hunter registrations, and did not return until almost the very end.

Due to the change in regulations, Seldom Seen Farm will now allow hunting and will need signs immediately to notify the public that hunting is taking place. All other recreational activity on the property will cease during hunting season. Russell K. Gross and Steven St. Pierre will work on getting signs posted tomorrow.

- d. First reading of the Youth Policy: Gene Cavaliere and Rebecca Schultz have been working on this policy and have a draft for the board to review. The policy will cover procedures for the Gloucester Land Trust in situations where they interact with youth, especially on GLT properties. This policy will protect the trustees, GLT volunteers and the young people they interact with. Conducting BCI's was brought up, and it was suggested that to make things easier for the volunteers they could give the Gloucester Police permission to conduct those instead of going downtown to the attorney general's office. Many of the trustees wanted more time to dedicate to this topic, so a separate workshop will be held to discuss this in more detail. Russell K. Gross made a motion to hold a separate workshop on Tuesday, September 27, 2016 to discuss the Youth Protection and Adult Leadership Policy in more detail; seconded by Rebecca Schultz and it passed unanimously.
- e. Construction of new bridges on Steere Hill: Steven St. Pierre has identified six locations where footbridges are needed. Due to the variety of people using the trails, the bridges should be built to support the weight of horses and the John Deere Gator. Since each bridge will cost between \$200-\$250, he

recommends building three this fall and three more in the spring. Mr. St. Pierre will send an email to the GLT volunteers asking for help with the project. The town has an account with Scituate Lumber, so it should be easy to get a slip and have the supplies delivered. Russell K. Gross made a motion to authorize the construction of the three bridges and the purchase of materials, with the cost not to exceed \$1,000; seconded by Janine Pitocco and it passed unanimously.

f. Steere Hill Parking Area Update: This topic will be postponed to the October meeting.

g. Trail name change at Steere Hill: Roy Najecki was still not back, so Chairman Mitchell moved this to the end of the meeting. See below.

h. Land Trust parking and trailhead address signs: Roy Najecki was still not back, so Chairman Mitchell moved this to the end of the meeting. See below.

i. Hawkins garage and its future: Russell K. Gross made a motion to postpone this item to the next meeting; seconded by Steven St. Pierre and it passed unanimously.

j. GLT Volunteer Applications: Steven St. Pierre made a motion to approve and accept the application of David DeCost as a Gloucester Land Trust volunteer; seconded by Rebecca Schultz and it passed unanimously.

Correspondence

a. Christin Chartier email: Ms. Chartier's car was vandalized at the Steere Hill parking area recently. The Gloucester Police are looking into this, but the board has not received any kind of update.

b. Scotsun Property: Roy Najecki looked into the report of no trespassing signs near the GLT property. The location of the signs is actually a right of way that the Land trust has no authority over, so nothing can be done about them being posted; the landowner has the right to put them there.

Trail Inspections: Steven St. Pierre cut about 100 trees on the Steere Hill trails and they are completely inspected 100% according to the policy. Mr. St. Pierre said he could spend an entire day out there because there are so many trails to inspect and recommended that the board consider purchasing a small four wheeler to speed up the trail inspections. Stephen Mitchell asked Gene Cavaliere how the trail inspections on Sprague were going, and Mr. Cavaliere responded that he had not done any trail inspections because Roy Najecki had not contacted him about doing them.

Monthly GLT Activities – Reports: Roy Najecki had not returned from registering the hunters and issuing permits when this was next on the agenda, and no one else had anything to report.

Open Forum: No one present wished to speak, but Roy Najecki then returned so they discussed the last two items they were waiting on him for:

g. Trail name change at Steere Hill: Roy Najecki recommended that trail names on the properties be given unique names so they are easily identified. When a person refers to a certain trail, the trustees will know where that trail is and on what property. Roy Najecki made a motion to give trails unique names and to rename Woodward Trail to Andrews Trail; Janine Pitocco seconded and it passed unanimously.

h. Land Trust parking and trailhead address signs: Roy Najecki suggested getting actual address numbers for the properties and putting the numbers on the property signs so it will be easier to give people directions and also easier for emergency personnel to respond in a crisis. To accomplish this a meeting must be held with the town building inspector because they coordinate everything with the 911 central system. Russell K. Gross made a motion to allow Roy Najecki to meet with the town building inspector and report back to the board at the next meeting; seconded by Steven St. Pierre and it passed unanimously.

Executive Session: There was no executive session at this meeting.

There being no further business before the Land Trust, Russell K. Gross made a motion to adjourn at 9:10p.m. The motion was seconded by Janine Pitocco and it passed unanimously.

APPROVED AT SEPTEMBER 27, 2016 MEETING.