

GLOCESTER LAND TRUST
REGULAR MEETING
May 14, 2014

The regular meeting of the Gloucester Land Trust took place on May 14, 2014 at the Gloucester Town Hall. Chair Mark Karmozyn called the meeting to order at 7:30 p.m.

Members in attendance: Russell K. Gross, Mark Karmozyn, Roy Najecki, Steven St. Pierre, George Charette, Matt Clegg and Legal counsel John J. Bevilacqua, Jr.

Members Absent: Stephen Mitchell

Minutes: Judi Rix

Guests: Jessie Gross, Jeanne O'Donnell Smith Haroian, Maureen O'Donnell DelFarno, Judy Colaluca, Sharon Heone and Councilman Buster Steere

Pledge of Allegiance

Open Forum Agenda Items Only

No one present wished to speak at this time.

Approval of minutes of previous meetings

- a. Steven St. Pierre made a motion to accept the minutes of the April 23, 2014 meeting; it was seconded by Russell K. Gross and it was passed by all with only Roy Najecki abstaining due to his absence from the last meeting.

Treasurer's Report: Treasurer Roy Najecki had nothing to report at this time.

Approval of Bills

- a. Russell K. Gross made a motion to pay the recording clerk Judi Rix \$145 for the April 23, 2014 meeting minutes; Steven St. Pierre seconded and it passed unanimously.
- b. Russell K. Gross made a motion to pay John Bevilacqua's April 2014 bill for \$2,000; Steven St. Pierre seconded and it passed unanimously.
- c. Steven St. Pierre made a motion to pay 146 Supply Bill for \$26.01; Russell K. Gross seconded and it passed unanimously.

Old Business

- a. GLT Budget: Russell K. Gross made a motion to table this item until the next meeting; Steven St. Pierre seconded and it passed unanimously.
- b. Steere Hill Parking Area: George Charette provided the group with packets of information regarding the parking area. The package contained details on what needs to be done with the D.O.T., a detailed map of the parking area and the paperwork that needs to be completed to get a curb cut. Mr. Charette spoke with Lisa Primiano of the D.E.M and Joseph Bucci from the D.O.T. about how to move the project forward. Drainage will need to be addressed and an engineer will need to be hired to help with the necessary steps in this process. The board will also have to decide if they want to fill in the foundation or remove it.
- c. Sprague Farm Sign: George Charette provided the board members with a packet of information and of examples of possible signs with a price quote attached.
- d. Land Trust Days 2014: Event Subcommittee Chair Roy Najecki has scheduled 12 other events over the course of the summer, but the three related to the Land Trust Days will be: 8/9/14 Scavenger

Hunt and cookout on Steere Hill, 8/24/14 Scavenger Hunt and cookout at Sprague Farm and 9/13 a Dog Walk/Poker Run at Steere Hill. Each event will have prizes handed out and Mr. Najecki will provide the information about the events to Rupert Friday.

- e. GLT Volunteers:: Steven St. Pierre made a motion to accept Lynn Leahy as a new volunteer; Russell K. Gross seconded and it passed unanimously.
- f. Great Wall Commons: Mark Karmozyn has posted the documents on the SkyDrive for all the trustees to review. Steven St. Pierre made a motion to table this until the next meeting to give the board time to review the documents; Russell K. Gross seconded and it passed unanimously. Chairman Karmozyn will invite the involved parties to the next meeting for a discussion with the board.

New Business

- a. Hawkins Pond Dam: David M. Matheson, Project Engineer from Pare Corporation in Foxboro, MA was hired by RIDEM to perform a scheduled inspection of the dam. Mr. Matheson conducted the inspection on May 1, 2014 with Russell K. Gross and George Charette present. Mr. Gross believes the inspector will have a long list of things that need to be fixed. Mr. Charette was more concerned about the safety of the gate valve and the absence of a grate and/or the size of the silo where it is located. The silo is much too narrow and is very dangerous. If someone were to fall in, it would be very difficult to get them out and a ladder would not fit in the current space.
- b. 2014 National Land Trust Rally: September 18-20 in Providence and 2 leaders from the land trust can attend one day for only \$50 each or the entire Rally for as little as \$150 each. Rupert Friday needs to know who will be attending and they must complete their registration by July 1st.
- c. Discontinue current legal services agreement with John Bevilacqua: Mark Karmozyn believes that \$2,000 a month to have John Bevilacqua at meetings and on-call is too expensive. The agreement was good at one point, but he feels it may not be necessary right now. Roy Najecki suggested using Mr. Bevilacqua on an as-needed basis, and Steven St. Pierre expressed concern about \$24,000 of the \$48,000 budget going to legal services. Russell K. Gross asked if any of the trustees had asked Mr. Bevilacqua if he would be willing to work with the board to come up with an alternative, and none of them had. Mr. Bevilacqua said that the courtesy of a phone call or a face-to-face meeting ahead of tonight's meeting would have been appreciated, but he is available to discuss his agreement with the GLT at any time. Roy Najecki made a motion to discontinue the current legal services agreement with John Bevilacqua as of May 31, 2014; Mark Karmozyn seconded but then the group discussed it in greater detail.

George Charette would like to table the motion and have the discussion at the next meeting in executive session. Steven St. Pierre was concerned that John Bevilacqua was not given sufficient notice and would like to see it discussed at the next meeting as well. John Bevilacqua indicated that the appropriate way to handle the termination of a professional employee is to send a certified letter to the individual and invite them to the next meeting and give them a choice of having a discussion in open or executive session. Mr. Bevilacqua will provide Chairman Karmozyn the appropriate language for the letter. Roy Najecki and Mark Karmozyn withdrew their motion and their second, and a new motion was made. Roy Najecki made a motion to table until the next meeting and have the Chair Mark Karmozyn send Mr. Bevilacqua a letter; Matt Clegg seconded and it passed with 5 ayes and only Russell K. Gross voting nay.

Correspondence

- a. SDRA: Received multiple emails from their members in support of the O'Donnell property purchase.
- b. O'Donnell Property: Councilman Ted Burlingame indicated that he spoke with two GLT trustees regarding this purchase and they disclosed to him information discussed in the GLT executive session. Mr. Burlingame sent an email to the President of the SDRA and shared that confidential

information in the email. This email was then sent on to many other people and eventually found its way to Jeanne O'Donnell Smith Haroian, who was very upset with what she read. Mark Karmozyn asked that the two people identify themselves, but no one spoke up. At this point, John Bevilacqua advised Mr. Karmozyn that this conversation should happen in executive session because the topic is regarding executive session discussions, which all of the trustees present agreed to.

- c. Email from FGLT: The Friends of the Gloucester Land Trust (FGLT) held their annual meeting on April 30, 2014. At that meeting, their membership approved a change to the name of their organization as well as an expansion of their mission to include support of other conservation-focused organizations in northwest Rhode Island.
- d. GIS Training: Email from Alyson McCann of the University of Rhode Island's Department of Natural Resources Science regarding URI's GIS Training Courses for May 2014
- e. Interactive Maps: IMRivers newsletter provided information about how Hunterdon Land Trust is using Interactive Mapping. Interactive mapping highlights preserved properties, trails and access points, community conservation values and current projects in the area. Community members can post site-specific information and pictures using a smartphone app, and maybe something the GLT should consider in the future.

Open Forum

Judy Colaluca was speaking as resident of Gloucester, not on behalf of the SDRA. Ms. Colaluca wanted to get it on the record that she is in favor of the O'Donnell purchase and believes the Land Trust and the town should take advantage of this moment to protect the lake, since it may not come again.

Sharon Heone also wanted to thank the trustees for reconsidering the O'Donnell property for purchase and that in general she feels the GLT is doing a good job and is in support of their efforts to preserve land in Gloucester and make it available for the public to enjoy.

Jeanne O'Donnell Smith Haroian wanted the opportunity to discuss the email she received that was originally sent out by Ted Burlingame to Judy Colaluca regarding her property. Because of the subject matter, the trustees cannot comment, but she may say what she wants during open forum. Ms. O'Donnell Smith Haroian wanted it known that there has not been a wetland determination on the property, no topo done on the property and no appraisal has been done on the property recently. Nothing has come from the email, except that it is hurting the O'Donnell estate. The appraisal is not holding things up and the sisters are willing to work with the GLT; they will even pay for an appraisal. She is at the meeting this evening because she feels the O'Donnell name is being slandered. It is inappropriate that it is on the internet that the asking price is too high, and shame on the Town Council and the GLT board that any portion of their executive session discussions end up on the internet for everyone to see. Very upset that Mr. Burlingame sent the email out in the first place because he had no business doing so.

Councilman Buster Steere wanted to clarify that he personally had not seen the email and also wanted it clarified that it did not come from the Town Council. Councilman Steere also wanted it on the record that the Council never told any contractor that they could not develop the O'Donnell property; he did not appreciate that it was implied as such and does not want Ms. O'Donnell Smith Haroian to slander the Town Council or the town of Gloucester. John Bevilacqua advised the board to end open forum at this point since things were escalating, and they heeded his advice and closed the open forum portion of the meeting. Mark Karmozyn followed the sisters into the hallway to ask them to stay until after executive session so the trustees could speak with them in further detail.

Executive Session: Steven St. Pierre made a motion to enter Executive Session, Roy Najecki seconded the motion and it passed unanimously. Russell K. Gross made a motion to leave Executive Session, Steven St. Pierre seconded the motion and it passed unanimously.

Executive Session Motions:**Title 42 Section 42-46-5 (5) Purposes for which meeting may be closed to the public**

Any discussions or considerations related to the acquisition or lease of real property for public purposes, or of the disposition of publicly held property wherein advanced public information would be detrimental to the interest of the public.

Judi Rix disclosed the votes taken during the Executive Session.

1. Land Acquisition and / or Conservation Easement:

- a. Roy Najecki mad a motion to get the appraisal for the D1 property from Peter Scotti & Associates; seconded by Matt Clegg and a roll call vote was taken with the motion passing. (Russell K. Gross and George Charette: Nay, Roy Najecki, Mark Karmozyn, Steven St. Pierre, and Matt Clegg: Aye)
- b. Roy Najecki made a motion to allow the GLT to enter into an option to purchase agreement for the D1 property; Steven St. Pierre seconded and it passed unanimously.
- c. Roy Najecki then motioned to authorize the Chair of the GLT to complete and submit a DEM Open Space grant request for the D1 property; Steven St. Pierre seconded and it passed unanimously.
- d. Steven St. Pierre made a motion to discuss changing the enabling legislation; Roy Najecki seconded and it passed unanimously.

There being no further business before the Land Trust, Russell K. Gross made a motion to adjourn at 10:15 p.m. The motion was seconded by Steven St. Pierre and it passed unanimously.

APPROVED AT JUNE 11, 2014 MEETING