

**BOARD OF SELECTMEN  
MINUTES MARCH 7, 2011  
APPROVED**

**Present:** Stuart M. Schulman, Chairman; Anna Eliot, Vice Chairman; George Dillon, Jr., Clerk; Peter Cunningham; Joshua A. Degen

**Also Present:** Mark W. Haddad, Town Manager; Patrice Garvin, Executive Assistant

*Mr. Schulman called the regular meeting to order at 7:00pm and reviewed the agenda for the public.*

**STATE SENATOR EILEEN DONOGHUE**

Senator Donoghue thanked the Board for their time and stated that she was there to let the residents know how to contact the Senator. Ms. Donoghue noted that the State was in its early stages of the FY12 budget and is looking for ways to help towns manage. Mr. Degen asked about Plan Design for Health Insurance. Ms. Donoghue reviewed the Governors Plan Design Proposal and stated that the proposal was still in committee. Ms. Donoghue noted that there were parts of the Governors budget that were problematic and still needed some work and that any mandates into the GIC health program were still in discussion. The Board thanked Ms. Donoghue and looked forward to working with her in the future.

**TOWN MANAGER'S REPORT**

1. Mr. Haddad noted that there is a vacancy on the Conductorlab Committee. The Conductorlab Committee has requested that Mark Dueger be appointed. [Document #1-Dueger Interest Form] This appointment is to expire June 30, 2012.

*Mr. Cunningham moved to affirm the Town Manager's appointment of Mark Dueger to the Conductorlab Committee for a term to expire June 30, 2012. Mr. Dillon seconded the motion. Motion unanimously carried.*

2. Mr. Haddad stated that there is a vacancy on the Finance Committee created by the resignation of Thomas Sangiolo. Two residents have expressed interest in the vacancy. Gary Green and Paul Hanson have submitted interest forms. [Document #2-3-Green & Hanson Interest Forms]

Mr. Hanson was present and gave his professional and personal background to the Board. Mr. Cunningham asked if Mr. Hanson was available to meet, a general sense of the role of the FinCom and if he had been to any FinCom Meetings. Mr. Hanson stated that he had no time constraints, that he knew how the FinCom worked and that he had not been to any meetings. Ms. Eliot asked Mr. Hanson if he has reviewed the FY12 budget. Mr. Hanson replied he had not.

Mr. Green was present and gave his professional and personal background to the Board. Mr. Dillon asked if he had attended any FinCom meetings. Mr. Cunningham asked about the time commitment. M. Green stated that he had attended FinCom meetings and had no time constraints. Mr. Green noted that he had not reviewed the FY12 budget.

The Board requested a ballot vote. Mr. Green was unanimously chosen. The Board shared some reasons why they chose Mr. Green.

*Mr. Degen moved to appoint Gary Green to the Finance Committee with a term to expire June 30, 2012. Mr. Dillon seconded the motion. Motion unanimously carried.*

**CENTRAL FIRE STATION-COMMITTEE DISCUSSION**

Mr. Haddad stated that with regards to the February 28, 2011 Special Town Meeting, it appeared that the Board should consider creating a Committee made up of residents and Town Officials to review potential locations for a new Central Fire Station. Mr. Haddad proposed that the Committee be made up of seven members and they should be charged with reviewing the Sacred Heart Church location, as well as the current site on Station Ave. and any other site worthy of consideration for a Central Fire Station. [Document #4-Committee Charge] The Committee should begin

to meet right away to be able to make a recommendation prior to the April 25<sup>th</sup> Spring Town Meeting. If the Committee does not feel that is enough time, they can recommend that the Board hold off until the Fall Town Meeting. Mr. Haddad noted that he has spoken to the Archdiocese of Boston and they would be willing to hold the terms of the P&S agreement until the end of April. The Board needs to decide whether or not to add this article to the Spring Town Meeting Warrant. Mr. Haddad recommended that the Board approve the charge and begin to advertise interest and make appointments next week. Mr. Haddad also recommended that a member of the Board of Selectmen serve on the Committee as well and that Chief Bosselait and the Town Manager serve as ex-officio members.

Ms. Eliot thought the charge needed to be more specific and give more direction. Ms. Eliot also noted that it is the Board that calls a public hearing and not the Center Fire Committee. Mr. Dillon agreed with Ms. Eliot that the charge needed to be more specific and to clarify the timetable. Mr. Cunningham suggested deleting the structure of the committee because it is not needed. Mr. Schulman read the revised charge into the record. The selectmen agreed to eliminate the April deadline but listed that the committee needs to provide the Board with a progress report before April 25, 2011.

*Ms. Eliot moved to adopt the Center Fire Station Location Committee Charge. Mr. Degen seconded the motion. Motion unanimously carried.*

#### **TOWN MANAGER'S REPORT CONTINUED**

3. Mr. Haddad stated that the Board had requested a breakdown of the CPC Budget accounts. [Document #5-CPC Budget Accounts] The reports outline the available balances with and without the state matching funds. Mr. Haddad cautioned that if all the CPC applications were funded at Town meeting the unallocated account would be very low and the Town would still need additional funds next year's Surrenden Farms commitment. Mr. Haddad also indicated that the unallocated box should stay at or near the required yearly bond payment level.
4. Mr. Haddad stated that the Board had questions regarding the Intermunicipal Agreement for the Devens Regional Hazardous Products Collection Program. Specifically, the Board wanted to know what the exact start-up costs were, as well as the annual contribution. The start-up costs for the Town is \$17,652. The Town received a grant from DEP for this several years ago and still has the funds available. The annual contribution for the Town is \$4,289. The Town budgets \$5,000 in Solid Waste each year for Hazardous Materials, so this is covered as well. Mr. Haddad requested that the Board authorize him to sign the intermunicipal agreement. A question was asked as to what the \$5000 covered.  
*Mr. Cunningham moved to authorize the Town Manager to sign the Intermunicipal Agreement for the Devens Regional Hazardous Products Collection Program. Mr. Degen seconded the motion. Motion unanimously carried.*
5. Mr. Haddad stated that the Finance Committee has scheduled a couple of meetings to continue their review of the FY12 Proposed Operating Budget. Meetings are scheduled for Tuesday, March 8<sup>th</sup> at 7pm and Sunday, March 13<sup>th</sup> at 9am. Mr. Haddad informed the Board that both meetings will be posted for Board of Selectmen's meetings in case there is a quorum.
6. Mr. Haddad stated that it has been the custom of the Town of Groton to hold a Special Town Meeting within the Spring Town Meeting to handle current fiscal year business. Last year, Town Counsel had informed the Town that this is not necessary as we can draft warrant articles for inclusion on the Spring Town Meeting that clearly state that they are for the current fiscal year. Mr. Haddad believed that this will clear up some confusion and allow the meeting to continue smoothly without interrupting it for a Special Town Meeting. Mr. Haddad asked the Board their opinion on this change and whether or not to change the warrant next year. The Board was in consensus to keep as is and to then change it next year, but make announcements at Town Meeting about the upcoming change and the pro's and con's of the change.

7. Mr. Haddad discussed a citizen's request to add an article to the Town meeting Warrant. The proposed article was received after the closing of the warrant by Robert Stephens of 382 West Main Street. The Board needs to decide whether or not to include it on the warrant. It was not submitted as a Citizen's petition and did not contain the signatures of ten (10) registered voters. [Document #6-Article and DOR opinion] Town Counsel and the DOR offered an opinion and they both agreed the Assessors would not be bound by any vote taken under such an article. Mr. Haddad recommended that the Board reject this article. The Board was not in favor of adding this article and suggested forwarding the email from DOR to Mr. Stephens.
  
8. Mr. Haddad discussed the recent article in the Lowell Sun concerning the Groton Pool and Golf Center and its financial viability. Mr. Haddad added that there is some misleading information circulating among various Town Boards. Mr. Haddad asked for patients with the Country Club stating that it has only been four months of operations under the new Town Department system. The Club is constantly being monitored by the Town Manager.
  
9. Mr. Haddad stated that there would be an update on the shooting range at the next selectmen's meeting. Mr. Haddad noted that Lowell has withdrawn their usage and that Chief Palma would be drafting a report this week.
  
10. Mr. Haddad stated that the Blackbird Café requested a One Day Liquor License for Thursday, March 17<sup>th</sup> contingent on payment of One Day liquor fee. [Document #7-Request One Day] Mr. Haddad added that the Blackbird Café will be before the Board again looking for an extension of hours. Mr. Degen asked that all One Day Liquor License require TIPS Certification.  
*Ms. Eliot moved to approve a one day all alcohol liquor License for the Blackbird Café on March 17, 2011 from 6pm to midnight, contingent on payment. Mr. Degen seconded the motion. Motion unanimously carried.*

**REVIEW FIRST DRAFT OF 2011 SPRING TOWN MEETING WARRANT** [Document #8-Draft Warrant]

Mr. Haddad briefly went through the draft warrant.

1. Hear Reports
2. Grants
3. Elected Compensation
4. Wage & Classification Schedule
5. FY12 Budget
6. Capital Budget
7. Stabilization Fund
8. Stormwater Management Revolving Fund
9. Conservation Commission Revolving Fund
10. Real-estate Tax Exemption
11. Water Resource Protection Map
12. Overlay District Extension
13. 134 Main Street Proposal
14. CPC Funds
15. CPC Projects
16. Surrenden Farm
17. Title Land
18. Sewer Commission Article
19. Citizen Petition-Sewer
20. Citizen Petition-Discontinue or Relocate Way

Special Town Meeting

1. Current Year Line Item Transfer
2. Transfer Within Water Enterprise Fund
3. Transfer Within Sewer Enterprise Fund
4. Prior Year Bills

Mr. Haddad requested that the Board reopen the Special Town Meeting Warrant to place the two new articles on the Spring Town Meeting Warrant.

*Mr. Degen moved to open the Special Town Meeting Warrant to place two new articles and to close immediately thereafter. Mr. Dillon seconded the motion. Motion unanimously carried.*

1. Sacred Heart Land Purchase
2. Mr. Haddad discussed the possible need to vote a new land swap with the Electric Light Cooperative since the prior vote was for a land swap to the Electric Light Department.

*Mr. Degen moved to open the Spring Town Meeting Warrant to place two new articles and to close immediately thereafter. Mr. Dillon seconded the motion. Motion unanimously carried.*

1. Mr. Haddad explained the Citizen petition for Solar Panels and asked Mr. Webber to address the Board. Mr. Webber requested this be added because the bylaws were not clear on solar panels.
2. Mr. Haddad also wanted to add an article regarding post employment benefits.

#### **MINUTES**

*Mr. Cunningham moved to approve the regular session minutes of February 7, 2011, as amended. Mr. Dillon seconded the motion. Motion unanimously carried. [Document #8-Draft Minutes 2-7-11]*

*Mr. Cunningham moved to approve the Executive Session Minutes (1) of February 7, 2011, as amended and not for release. Ms. Eliot seconded the motion. Motion unanimously carried. [Document #9-Draft ES 2-7-11]*

*Mr. Degen moved to approve the Executive Session Minutes (2) and not to release. Mr. Cunningham seconded the motion. Motion unanimously carried. [Document #10-Draft ES 2-7-11]*

#### **ADJOURNMENT**

*Mr. Dillon moved to adjourn the meeting at 9:00pm. Mr. Cunningham seconded the motion. Meeting adjourned.*

Approved: \_\_\_\_\_  
George F. Dillon, Jr. Clerk

\_\_\_\_\_ respectfully submitted,  
Patrice Garvin  
Executive Assistant to the Town Manager

Date Approved: 3-28-11