

**BOARD OF SELECTMEN  
MINUTES MARCH 28, 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.*

**TOWN MANAGER'S REPORT**

1. Mr. Haddad stated that he has been searching for a new Housing Coordinator. A search committee has been made up of Kathleen LeBlanc, Michelle Collette, Colleen Neff and the Town Manager. Fifteen resumes had been received for the position. Based on interviews the Committee unanimously recommended that Leah Donohoe of Sterling, MA be appointed to the position. Pursuant to Section 4-2(c) of the Groton Charter, Mr. Haddad requested that the Board ratify his appointment. [Document #1-L. Donohoe Resume] The Board welcomed Ms. Donohoe and Mr. Degen asked what the step and grade of the position would be. Mr. Haddad stated that the position is a Grade 7, Step 2.

*Mr. Cunningham moved to approve the Town Manager appointment of Leah Donohoe as the Affordable Housing Coordinator. Mr. Dillon seconded the motion. Motion unanimously carried.*

2. Mr. Haddad reported that the Commission on Accessibility met with Mr. Harker who had a list of recommendations to improve handicap accessibility at Town Meeting. Mr. Haddad added that the Commission on Accessibility had a plan to implement those recommendations and Mr. Haddad thanked the Commission on Accessibility.
3. Mr. Haddad reported that he was disappointed to inform the Board that the Community Preservation Committee has voted unanimously that the Affordable Housing Trust's application for \$412,000 to invest in a mixed use development at 134 Main Street to create affordable housing units has been disqualified from consideration due to not submitting all of the documentation required. Mr. Haddad stated that this came at a complete surprise based on the meetings with the CPC, especially after the public hearing held on March 1, 2011 in which the members present complimented the project and the completeness of the application. Mr. Haddad reported that he had requested that the CPC reconsider their decision at their April 5, 2011 meeting. The Chairman of the CPC has agreed to place this matter on the Agenda. Mr. Haddad was hopeful that the CPC reconsider their vote and bring the matter to Town Meeting for consideration.

Mr. Haddad asked that the selectmen attend the meeting for support on April 5<sup>th</sup>. Mr. Degen stated that this project allows the town to bring Affordable Housing into Town on the towns terms and not a developers. Mr. Cunningham added that the CPC has had over seven years of housing monies available and no housing has been created using that fund. Mr. Dillon commented that there is precedence to this type of collaboration and that it is a local bank and a local developer.

4. Mr. Haddad stated that he has been working with several Town Boards to review any issues related to the 134 Main Street project. These meetings have gone very well. In working with the Conservation Commission to address wetlands issues on the 134 Main Street site the possibility of transferring the care and management of the Brownloaf property from the Selectmen to the Conservation Commission has been discussed. Since the town is requesting that the project be allowed to encroach on the 100 foot buffer on the 134 Main Street site, this transfer can be seen as a form of mitigation. In order to allow this transfer, Town Meeting would have to approve this request. Mr. Haddad requested that the Board consider opening the Town Meeting Warrant and adding this article, as drafted by counsel.

To see if the Town will vote to transfer the care and custody of the so called Brownloaf property, shown on Assessors' Map 234 as parcel 4, from the Board of Selectmen to the Conservation Commission for conservation purposes, or to take any other action relative thereto.

Ms. Eliot suggested language stating some portion of the parcel. Mr. Degen agreed with Ms. Eliot and noted that instead of the \$150k into the Conservation Fund from the CPC the Conservation Commission would acquire more open space. Mr. Cunningham asked what the size of the land would be once all is said and done. Mr. Haddad stated that the exact totals are not known until a site plan has been done.

*Mr. Cunningham moved to open the Spring Town Meeting Warrant to include: To see if the Town will vote to transfer the care and custody of some portion of the so called Brownloaf property, shown on Assessors' Map 234 as parcel 4, from the Board of Selectmen to the Conservation Commission for conservation purposes, or to take any other action relative thereto. Mr. Degen seconded the motion. Warrant opened.*

*Mr. Cunningham moved to close the warrant for the Spring Town Meeting. Mr. Degen seconded the motion. Warrant closed.*

### **CONTINUATION OF PUBLIC HEARING 2011 SPRING TOWN MEETING WARRANT**

*Mr. Cunningham moved to continue the Public Hearing. Mr. Degen seconded the motion. Hearing continued.*

Mr. Haddad stated that Ray Lyons was present to discuss Article 20 regarding paper streets. Mr. Lyons explained that the article if passes would remove the paper street and that it currently passes through house. There will be access to the water through another street per agreement with the Board of Selectmen prior to the execution of this article. Mr. Lyons thanked the Board for their time.

Mr. Haddad explained that the sponsor of the solar panel article was out of town and would be presenting the article at another time.

*Mr. Cunningham moved to close the public hearing at 7:25pm. Mr. Dillon seconded the motion. Hearing closed.*

### **POLICE SHOOTING RANGE-DISCUSSION**

Mr. Schulman stated that the Board is continuing its discussion on the range. Mr. Degen stated that he was not comfortable with what is being proposed and that only Groton Officers should be using the range and no one else. Mr. Schulman read Mr. Cullen's email into the record regarding the range. [Document #2-Email from Lt. Cullen 3/28/11] Mr. Cunningham noted the significant reduction in use of the range since the initial complaints were filed. Mr. Dillon asked about NEMLAC, the Sheriff's Office and the IRS usage of the range. Mr. Haddad explained the expanded use and noted that the Lowell Police Dept. and the Lowell Academy have gone elsewhere. Mr. Degen asked about marching up the street and requested that there be no marching. Mr. Schulman asked the Chief to continue to look at alternatives.

1. Dan Murdock, Hoyts Wharf Road: Mr. Murdock suggested that the range only be used for Groton Officers, changing the locks and looking into ways to make the range safer.
2. Dave Burnham, Hoyts Wharf Road: Mr. Burnham was concerned with his property values with the range constantly being used.
3. Jane Yonke, Hoyts Wharf Road: Mr. Yonke stated the range has been used prior to 1992.
4. Brooks Lyman: gave a handout to the Board with recommendations for the range. [Document #3-B. Lyman statement]
5. Linda Bicknell, Hoyts Wharf Road: Ms. Bicknell stated that there was a lack of control at the range and a lack of oversight. Mr. Cunningham spoke to this point stated that a policy needed to be developed so the range was tightly controlled. Mr. Cunningham added that a full vetting of the issue still needed to occur. Mr. Degen stated that closing the range outright was not the way to do things and suggested Town Meeting decide on range based on a possible citizens petition to close the range.
6. Robin Stowell, Hoyts Wharf Road: Ms. Stowell did not see the need for SWAT to use the range.

7. David Tellier, Burntmeadow Road: Mr. Tellier noted the increase in activity at the range and that the locks needed to be changed.
8. Brenda Mahoney, Hoyts Wharf Road: Ms. Mahoney asked where other towns go for training.
9. Andrea Murdock, Hoyts Wharf Road: Ms. Murdock questioned the building of a new facility.
10. Sandy Roberto, Flavell Road: Ms. Roberto stated that the site was not permitted to be used as a gun range and wanted the ranged closed.

Mr. Schulman summarized the issues that he has heard from the public.

1. For the time being the range will be open for Groton Police only.
2. Eliminate marching
3. Change locks, Range Officer
4. Investigate transfer SWAT to trailer
5. Audit Schedule
6. Revisit issue time certain date
7. How much is the Town of Westford, NMLAC, Sherriff, IRS and Lowell paying and where are they going to shoot.
8. How much are NEMLAC dues?
9. Where else is there to shoot besides Groton.

Mr. Degen suggested closing the range for two to three months until answers are given. Mr. Schulman disagreed and stated that Groton Officers should be allowed to use the range.

*Mr. Degen moved to close the range and to only have it be used by Groton Officers for the next two (2) weeks pending an investigation on the range. Ms. Eliot seconded the motion.*

Discussion

Ms. Eliot wanted input from the Chief prior to voting. Mr. Dillon did not see an issue with closing the range for the next few weeks as it had previously been closed and there was no activity scheduled. Mr. Haddad noted that he supported Mr. Degen’s motion. Mr. Cunningham proposed that the town adopt a policy regarding the use of the range. The Board requested that the Peter Cunningham and Fran Dillon meet with Chief Palma regarding the issues and questions presented and report back to the Board of Selectmen in two weeks on their findings and recommendations. Mr. Dillon stated that the control and safety issues of the range should be addressed in the policy.

The Board decided to continue the discussion of this until two weeks, taking the public input into account and getting feedback from the Chief.

**TOWN MANAGER’S REPORT CONTINUED**

5. Mr. Haddad asked the Board to take positions on the Spring Warrant Articles:
 

<p>Article 1: All Recommend          Article 2: All Recommend          Article 3: All Recommend          Article 4: All Recommend</p> <p>Article 5: All Recommend          Article 6: All Recommend          Article 7: All Recommend          Article 8: All Recommend          Article 9: All Recommend          Article 10: All Recommend          Article 11: All Recommend</p>	<p>Article 12: All Recommend          Article 13: All Recommend          Article 14: All Recommend          Article 15a: All Recommend; 15b 4 Against 1 in Favor;          15c All Recommend; 15d 4 against 1 abstain; 15e 4 in favor 1 abstain          Article 16: All Recommend          Article 17: All Recommend          Article 18: All Recommend          Article 19: At Town Meeting          Article 20: At Town Meeting          Article 21: At Town Meeting          Article 22: At Town Meeting</p>
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*Discussion*

Mr. Haddad noted that the budget has not changed and he asked the Board for their full support. Mr. Degen wanted to hold his position on Article 5 until Town Meeting but then decided to fully support Article 5. Mr. Haddad noted that the mower under the Capital Budget could be leased and that the Baler would eventually, through revenues, pay for itself. Mr. Haddad let the Board know that the cost to fix Legion Hall is between \$18k-\$22k.

Under Article 16, CPC Funds, Mr. Haddad noted the need to fund Surrenden Farm through the CPC unallocated bucket. Mr. Haddad was concerned that if all the projects were funded by the CPC there would not be enough money to fund Surrenden Farm, a payment that is required every year. Mr. Haddad stated that it would be fine if the Boutwell House Article 15e and the Historic Preservation Article 15c were funded \$17k would come from unallocated.

Article 15d, Prescott Feasibility Study was discussed. The Board did not support this article. Ms. Eliot, a member of the Prescott Re-Use Committee stated that in order to fulfill the charge this study needed to be funded. Mr. Dillon stated that the costs of the study are dependent on who conducts the study and are generally indicative of what the value of the study will be. He indicated that when requested by the Prescott Reuse Committee in December 2010 to support the CPC application he questioned the cost/value and did not believe that all that the application proposals could be accomplished for the price especially the marketing aspect. The actual application did eliminate the marketing portion. Mr. Dillon also felt that the potential use of Prescott should be narrowed down before a funded financial evaluation is done.

Mr. Haddad stated that the Special Town Meeting Warrant Article positions can all be deferred until Town meeting.

6. Mr. Haddad announced that negotiations have concluded with SEIU, Local 888 Town Hall Library Employees Union on a new contract for Fiscal Year 2012. The Union has ratified the agreement and Mr. Haddad requested the Boards approval.

*Mr. Dillon moved to ratify the agreement between the Town and SEIU, Local 888 Town Hall Library Employees Union, as indicated in contract for FY2012. Ms. Eliot seconded the motion. Motion unanimously carried.*

7. Mr. Haddad requested that the following be appointed to the Groton Pool & Golf Center: Martin Moore, John Conway and Joseph Bouchard.

*Mr. Cunningham affirmed the Town Manager's appointments of the following temporary seasonal employees to the Groton Pool & Golf Center: Martin Moore, John Conway and Joseph Bouchard. Ms. Eliot seconded the motion. Motion unanimously carried.*

### **LIAISON REPORTS**

Mr. Cunningham attended Talk with Tom at the Senior Center. Mr. Dillon attended the Planning Board meeting that discussed 134 Main Street CPC application. Ms. Eliot attended the Taste of Nashoba and also was present for the Bid proposal for Station Ave. Ms. Eliot is on the RFP review committee for Groton Electric Light Cooperative. Ms. Eliot stated that eight bid proposals were received. Ms. Eliot expressed some concerns with the bid process.

### **MINUTES**

*Mr. Degen moved to approve the regular meeting minutes of March 7, 2011. Mr. Dillon seconded the motion. Motion unanimously carried. [Document #5-Draft 3-7-11 Minutes]*

### **ADJOURNMENT**

*Mr. Dillon moved to adjourn the meeting at 9:18pm. Mr. Cunningham seconded the motion. Meeting adjourned.*

George F. Dillon, Jr. Clerk

respectfully submitted,  
Patrice Garvin  
Executive Assistant to the Town Manager

Date Approved: 5-9-2011