

**BOARD OF SELECTMEN
MINUTES JULY 11, 2011
APPROVED**

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

Absent: Joshua A. Degen; Mark W. Haddad, Town Manager

Also Present: Michael Bouchard, Acting Town Manager; Patrice Garvin, Executive Assistant

Ms. Eliot called the meeting to order at 7:00pm and reviewed the agenda.

TOWN MANAGER'S REPORT

1. Mr. Bouchard reported that at their last meeting Mr. Haddad was asked to contact Town Counsel and have him review the opinion from the Ethics Commission and determine whether or not a member of the Board of Selectmen can be appointed to the Zoning Board of Appeals. Town Counsel has reviewed the matter and concurs with the Ethics Commission opinion based on the fact the ZBA Members are not compensated. MR. Schulman wanted to point out the no compensation was not the issue and he was still uncomfortable with a selectman holding both positions. Ms. Eliot noted that this appointment would be taken up on August 29th.
2. Mr. Bouchard reported that at the last meeting the Board discussed the issue of an appointment to the Board of Registrars. The Board was informed that the Democratic Town Committee had developed a new proposed appointee list for the Board to consider. Mr. Bouchard stated that no list of appointees was submitted and he recommended the Board appointing Susan Slade(r).
Mr. Schulman moved to appoint Susan Slade to the Board of Registrars for a three year appointment to expire June 30, 2014. Mr. Cunningham seconded the motion. Motion carried 4-0.
3. Mr. Bouchard requested that the Board open the Warrant for the 2011 Fall Town Meeting. The Warrant will close on August 25, 2011. Enclosed with this report is the draft memorandum announcing the opening of the Warrant and outlining the various dates associated with the Fall Town Meeting. This is the same schedule the Board has followed the previous two years.
Mr. Cunningham moved to open the 2011 Fall Town Meeting Warrant and to close the Warrant at the end of business on August 25, 2011. Mr. Dillon seconded the motion. Warrant opened.
4. Mr. Bouchard asked the Board to ratify the Town Manager's appointments of Tynsborough Police Officers as Special Police Officers in the Town of Groton.
Mr. Cunningham moved to ratify the Town Manager appointment of Tyngsborough Police Officers as Special Police Officers, as indicated in a letter dated 6/29/11. Mr. Schulman seconded the motion. Motion carried 4-0. [*Documents 1-Ltr. From Tyngsborough 6-29-11*]
5. Mr. Bouchard requested that the Board appoint Kevin McKenzie to the Groton Military Community Covenant Committee.
Mr. Schulman moved to appoint Kevin McKenzie to the Groton Military Covenant Committee to expire June 30, 2011. Mr. Cunningham seconded the motion. Motion carried 4-0. [Documents 2-Committee Interest K. Mckenzie]
6. Mr. Bouchard stated that the Board will be meeting at Legion Hall next week. The meeting will begin at 6:00pm. Mr. Haddad wanted to thank Tom Delaney and his crew, especially Quinton Shea, for the outstanding job they did repairing the building. A copy of an updated Town Owned Building Policy needs to be discussed and approved. The Town just made a major expenditure to the building. No one is being excluded from using the building; the policy just helps the Town Clerk better manage the meeting space. Mr. Bouchard stated that the a new key code with key box will be made available through the Town Clerk's office.
Mr. Dillon moved to accept the updated Use of Town Owned Building Policy. Mr. Cunningham seconded the motion. Motion carried 4-0.
7. Mr. Bouchard stated that Mr. Haddad has reached out to Boxborough to discuss renewing the IMA for the shared Building Commissioner/Zoning Enforcement Officer. The issue will be discussed next month due to

vacation schedules. In the meantime, we are covered here in Groton with Don Kinney and Mike Kinney. Mr. Bouchard requested that the Board ratify the appointment of Mike Kinney.
Mr. Schulman moved to ratify the Town Manager's appointment of Mike Kinney as the alternate Building Commissioner. Mr. Dillon seconded the motion. Motion carried 4-0.

AFFORDABLE HOUSING TRUST-FUNDING DISCUSISON [*Document 3-Trust Document funding resources*]

Mr. Schulman revealed himself as a member of the Trust. Alan King approached the board and introduced other members of the Trust that were present. Mr. King gave a brief report to the Board that outlines Spending Activities; potential funding resources and activities to promote affordable housing in Groton. Mr. King stated that a funding resource could be instituting impact fees of developers. Mr. Cunningham thought that impact fees were not allowed under the law. Fran Stanley, Housing Coordinator explained how impact fees could be used voluntarily by developers.

Mr. Dillon asked in determining the need for affordable housing in town if there were different levels and if there are what can and cannot be added to the inventory. Ms. Stanley explained that there are different levels but the higher end of the median income cannot be added to the inventory. Mr. Dillon asked how many affordable units were available in tow. Ms. Stanley replied that coming up there are four units that will be available two over age 55.

Mr. King asked the Board for input on the idea to take 10% of PILOT monies from area private schools. Mr. Dillon stated that like any proposal to the Board it needs to be thought about and discussed. Ms. Jenkins stated her reasons why she would be cautious about 10% PILOT payments going toward the trust. The Affordable Housing Trust thanked the Board for their time.

RAY LYONS-DEFREITAS EASEMENT AND AGREEMENT

Mr. Lyons requested that the Board accept the trails easement and agreement that was approved at the Spring Town meeting for a paper street.

Mr. Cunningham moved to accept the Trail Easement regarding DeFrietas property as presented in Attorney Lyons presentation. Mr. Dillon seconded the motion. Motion carried 4-0.

Mr. Cunningham moved to approve the agreement as presented by Attorney Lyons regarding the DeFrietas trail easement. Mr. Dillon seconded the motion. Motion carried 4-0.

MASTER PLAN REVIEW-DISCUSSION

Ms. Eliot wanted to discuss incorporating the Master Plan into the Board's Goals and Objectives session. Ms. Eliot felt the Master Plan should parallel some of the goals of the Board of Selectmen. Ms. Eliot wanted to have the Master Plan in mind at the next work session of the Board.

OTHER BUSINESS-TOWN MANAGER'S ANNUAL REVIEW AND SALARY-DISCUSSION

Ms. Eliot stated that the Board needed to discuss the Town Manager's contract and to address if and any increase if goals and objectives were met. Mr. Dillon stated that the Town Manager has met the goals set for him. Mr. Schulman agreed that the Town Manager has met his goals. Mr. Cunningham stated that the contract was pegged to performance and that through very difficult budgets the Town Manager was able to meet all his goals. Mr. Cunningham added that an increase of 3% was not unreasonable. Mr. Dillon was unsure of current comps in the area for a Town Manager but noted that when hiring the Town Manager the salary was considerably lower than all other communities. Mr. Dillon added that with a 3% increase the Town Manager salary was still lower than comparable communities.

Mr. Cunningham moved to increase the Town Manager's salary for FY12 of 3% effective July 1. Mr. Schulman seconded the motion. Motion carried 4-0.

SELECTMEN LIAISON REPORTS

Mr. Cunningham stated that he has been working with DCR and DCR is committed to working with the Town and the MBTS on a lease agreement. Ms. Eliot noted that in the recent correspondence there was a decision from the ZBA regarding the right to Farm and asked that it be forwarded to the Agricultural Commission.

MINUTES

Mr. Cunningham moved to approve the regular meeting minutes of June 6, 2011. Mr. Dillon seconded the motion. Motion unanimously carried. [Documents 4-Draft Minutes 6-6-11]

Mr. Cunningham moved to approve the special meeting minutes of June 13, 201, as amended1. Mr. Dillon seconded the motion. Motion unanimously carried. [Documents 5-Draft Minutes 6-13-11]

ADJOURNMENT

Mr. Dillon moved to adjourn into Executive Session at 8:15 p.m. not to convene into open session in accordance to MGL c.30A, Sec 21: To discuss strategy with respect to litigation and the chair so declares. Mr. Cunningham seconded the motion. Roll Call Vote Dillon-yes; Eliot-yes; Cunningham-yes; Schulman-yes.

Approved: _____
Peter Cunningham, Clerk

_____ respectfully submitted,
Patrice Garvin
Executive Assistant to the Town Manager

Date Approved: 8-1-2011