

**BOARD OF SELECTMEN  
MINUTES SEPTEMBER 10, 2012  
APPROVED**

**Present:** Stuart M. Schulman Chairman; Peter Cunningham, Vice Chairman; John G. Petropoulos; Joshua A. Degen; Anna Eliot

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

Mr. Schulman called the meeting to order at 7:00pm and made some brief announcements. Mr. Degen stated that the Police Department, Town Manager, Selectmen and National Grid are not managing the traffic control for the National Grid project. It is not being managed well, effecting area businesses. Mr. Degen urged residents to support local businesses.

**TOWN MANAGER'S REPORT**

1. Mr. Haddad stated that he has made the following two appointments and respectfully requested that the Board ratify those appointments:

Ruth Steven, Water/Sewer Office Assistant

Kelly Merrill, DPW Office Assistant

Mr. Degen asked what the grade and steps were for each appointment. For Ms. Stevens it is a grade 5 position and Ms. Merrill is also a grade 5. Mr. Haddad reminded Mr. Degen that there are no longer steps.

Mr. Cunningham moved to appoint both appointments then withdrew his motion due to the following concerns by Mr. Degen. Mr. Degen asked why the Water Sewer position was not 19 hours but 20 hours, saving the Town in benefits. Mr. Haddad replied that the Water and Sewer Commission wanted 20 hours and it is an enterprise fund, therefore funding the benefit.

*Mr. Cunningham moved to affirm the Town Manager's appointment of Ruth Steven as the Water/Sewer Office Assistant, effective 9/17. Ms. Eliot seconded the motion. Motion carried 4-yes, Mr. Degen No.*

*Mr. Cunningham moved to affirm the Town Manager's appointment of Kelly Merrill as the DPW Office Assistant, effective 9/10. Ms. Eliot seconded the motion. Motion unanimously carried.*

2. Mr. Haddad requested that the Board ratify two Detail officers.

*Mr. Cunningham moved to ratify the Town Manager's appointments of the following Detail Officers: Paul P. Meehan, Middlesex Sheriff's Office and John Dragoumanous, Middlesex Sheriff's Office. Ms. Eliot seconded the motion. Motion unanimously carried.*

3. Mr. Haddad stated that due to the vacancy of the HR Director, he would like Ms. Jenkins to be the Interim HR Director and Finance Director, and move up Ms. Dufrense appointment as Town Accountant as she is more than ready to take on the role of the Town Accountant. Ms. Jenkins also wanted to cut back to 32 hours per week. Mr. Degen stated that it was his understanding that Mr. Jenkins would be retiring in December and that Ms. Dufrense would attain the responsibilities of the Town Accountant at that time. Ms. Jenkins stated that she was concerned with the signatory authority serving as both the Town Accountant and HR Director. The reduction of hours according to Ms. Jenkins was to save the Town some money when she leaves in December by not having to pay out the vacation pay owed to Ms. Jenkins. Ms. Jenkins stated there would be a need at the end of her employment to appropriate money to pay out the vacation time. Mr. Degen stated that this was the first

time hearing about this and wanted a week to digest it. Mr. Schulman asked Mr. Degen if he would like to make a motion to require prior notice on all ratifications. Ms. Eliot stated that a request has been made to relieve a signature situation. Mr. Cunningham stated that this is the right decision and there is also an opportunity to save money, therefore sitting on it for a week will not change anything. Mr. Petropoulos stated that if it is worth ratifying then it is worth knowing about ahead of time. Mr. Cunningham stated that it is the selectmen that set the policy and the Town Manager conducts the day to day operations of the Town. Mr. Cunningham added that the Town Manager has made a good call and should not be second guessed. Ms. Eliot stated that after talking to Ms. Jenkins she was well aware of the proposal, and that she had not just heard about the topic. Mr. Haddad stated that he has changed nothing as to how things are presented to the Board over the last four years and stated that now a mixed message was being sent.

#### **PUBLIC HEARING TO REVIEW THE OCTBER 15, 2012 Fall Town MEETING IN JOINT SESSION WITH THE FINANCE COMMITTEE**

*Mr. Cunningham moved to open the Public Hearing for the Fall Town Meeting Warrant at 7:30pm. Ms. Eliot seconded the motion. Hearing Opened.*

*Mr. Cunningham moved to suspend the discussion of the Fall Town Meeting and return upon the ending of the other business. Mr. Degen seconded the motion. Hearing suspended.*

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

Mr. Petropoulos suggested coming back with a policy to the Board that ~~makes all appointments~~ require a one week notice to the selectmen.

*Ms. Eliot moved to ratify the Town Manager's appointment of Patricia Dufrense as the Town Accountant. Mr. Cunningham seconded the motion. Motion carried 3-yes, 1-no Mr. Degen, 1 abstention-Mr. Petropoulos.*

#### **CENTER FIRE STATION BUILDING COMMITTEE-UPDATE** [Document 1: Dore & Whittier Slides]

Don Walter, Dore & Whittier Architects gave a brief update to the Board. Mr. Walter stated that there has been progress since Town Meeting and reviewed the project from conceptual design to construction. Mr. Walter stated that the project is getting close to ready to go out to bid as we are now in the permitting stage of the project. Mr. Walter showed the site plan with the structure on the site with the setbacks. Mr. Walter also showed the total parcel and how it would be divided up for future building. Mr. Walter showed the front and back of the design on the building along with the floor plans for the two story building. Mr. Haddad stated that there is a HDC meeting with the Center Fire Station Building Committee the following night. Mr. Petropoulos asked about any public use of the building. Mr. Walter stated that public use of the training room could be supported. Mr. Petropoulos confirmed that public use was enabled by the design but not necessarily approved by the Committee, and that approval would be a matter of Fire Department Policy. Mr. Petropoulos asked about the increase in floor plan. Mr. Walter stated that with any conceptual plan to final design, square footage will increase due to things such as systems and mechanical needs. Mr. Haddad stated that the fitness area has decreased. Ms. Eliot asked about roof access for additional training. Mr. Walter stated that a flat roof is in the design and will accommodate training. Mr. Walter thanked the Board and stated that updates will continue as the process goes forward.

**PUBLIC HEARING TO REVIEW THE OCTOBER 15, 2012 FALL TOWN MEETING IN JOINT SESSION WITH THE FINANCE COMMITTEE** [Document 2: Draft Fall Town Meeting Warrant and Backup]

Mr. Haddad reviewed each article and requested comments from the Board.

1. Prior Year Bills: Mr. Haddad stated that two prior year bills will be brought forward.
2. Amend the Fiscal Year 2013 Town Operating Budget: Mr. Haddad stated that the budget was holding true and is in great shape.
3. Transfer Money into the Capital Stabilization Fund: Mr. Haddad stated that a \$250k transfer will get the Cap Stab Fund to 1.5%. Mr. Haddad explained that an additional \$150k to carry the clerk of the works salary for the fire station would be added to Cap Stab. Mr. Haddad did not see the need to borrow \$150k and pay interest on what basically amounts to a salary for the clerk of the works, a one-time expense. Mr. Degen felt this transfer of the clerk of the works money could be premature. Mr. Haddad stated that it builds up the reserves and leaving it in Cap Stab it makes it harder to get out because it takes a 2/3 vote at Town Meeting. Mr. Schulman asked if the \$150k could go into the regular stabilization fund.
4. Transfer Money into Stabilization Fund: Mr. Haddad stated that \$250 is being suggested go into this fund to get the fund up to 5%. Mr. Haddad stated that the \$150k for the clerk of the works could go into this fund, addressing Mr. Schulman's question. Mr. Petropoulos stated that wherever the \$150k goes for the clerk of the works does not change the cost of the station.
5. Offset the Tax Rate: Mr. Haddad did not request an offset. Mr. Haddad stated that the Town was in great shape and currently ½ million under the levy.
6. Creation of Lost Lake Sewer System: Mr. Haddad stated that this article creates the sewer district.
7. Design & Construction of Lost Lake Sewer Project: Mr. Haddad stated that the appropriation would total 12.9 million and at the last meeting the Board voted to approve up to 25% from taxes. Mr. Haddad presented 6 scenarios for how the funding would be broken out, with and interest rate of 0% and 2%. Mr. Haddad described the best and worst case scenarios. Mr. Degen asked about the EDUs for current and potential hook ups. Mr. Haddad stated that there are 19 EDUs for new development in Lost Lake. There are also potential additional EDUs at Four Corners. Mr. Haddad stressed that the numbers presented were conservative. Mr. Haddad stated that more information will be provided to the Town regarding the EDUs by Town Meeting. Mr. Hargraves suggested have a Q&A regarding the Lost Lake Sewer. Mr. Webber asked what the grant status on Lost Lake was at this time. Mr. Haddad stated that a grant has been applied for and the Town is hoping for a million dollars in grants.
8. Authorize Inter-Municipal Agreement with Ayer: Mr. Haddad stated that he was meeting with Ayer to discuss details. Mr. Haddad was also waiting for feedback from Town Counsel.
9. Community Preservation Committee Funding Accounts: Mr. Haddad stated that the Town is still waiting for totals.
10. Community Preservation Committee Project Recommendations: Mr. Degroot, CPC Chair stated that they have not received the Tarbell application, but asked that it be left in as a place holder on the warrant. Mr. Degroot stated that the Conservation Commission is requesting \$25k to the Conservation Fund. Mr. Degroot explained the \$10k will be from Open Space and \$15k will come from unallocated.
11. Connection to Town Sewer-Farmers Row Parcel 108-1: Mr. Haddad stated that this was for the Lawrence Trust, Farmers Row fire station site. Mr. Haddad stated that the Sewer Commission asked that the article be put last in case the two citizen petition articles regarding the fire station passes. Mr. Degen suggested having Article 5 move to the end of the warrant. Discussion ensued regarding the

- ordering of the articles. It was decided that the two citizen petition articles will be moved up in the warrant order, Article 5 to offset the tax rate would be the last article.
12. Amend Chapter 218, Zoning, Intensity Regulations: Mr. Haddad stated that this would set minimum and maximum setbacks to Public Use Districts. The Planning Board hearing on this article will be on September 13<sup>th</sup>. Mr. Haddad stated that this change would be more restrictive than what is in place currently.
  13. Rezone Parcel 108-1-4 from Residential-Agricultural “R-A” to Public Use “P”: Mr. Haddad explained that this would rezone the Lawrence Trust site.
  14. Amend Chapter 81 of the Code of the Town of Groton: Mr. Haddad stated that this recommendation came from Bond Counsel and it simply codifies what the Town already does at Town Meeting.
  15. Establish Affordable Housing Revolving Fund: Mr. Haddad stated that this was not tax payer dollars but from developers.
  16. Repair Septic System at Squannacook Hall: Mr. Haddad stated that there is no working septic system at Squannacook Hall. Mr. Haddad was working with an abutter to possibly utilize some of their land for a system but that did not work out. Mr. Wolfe, of Ross Associates, described the site and what could and could not work on the site. Mr. Wolfe stated that a Presby system would work on the site with a maximum of 528 gallons per day equaling a 5 bedroom home. Mr. Wolfe stated that he would have more information by Town Meeting.
  17. Land Acquisition on Chicopee Row: Mr. Haddad stated that the Conservation Commission was looking to purchase this land for \$716k and \$25k of it would be from CPC Article. There is also a state grant of 60% reimbursement that the ConsCom would be applying for, which is what the Town Meeting would be voting to approve. The ConsCom can buy the land without further Town Meeting approval since the funding is coming from the Conservation Fund. Ms. Stanley stated that the site was full of vernal pools and has been on the market for a long time. Mr. Petropoulos asked how difficult it would be to build on this parcel. Mr. Easom, a CC member was present to answer questions. Mr. Easom stated that one can only speculate on whether or not building could occur on the parcel. Mr. Cunningham noted that an appraisal was done on the property. Mr. Easom also stated that buying the land would protect the water supply and create passive recreation. Mr. Schulman was concerned with wiping out the Conservation Fund with this purchase and then come to spring town meeting wanting to replenish the fund. Mr. Cunningham stated that it was up to the Conservation Commission to spend money out of the fund.
  18. Funding to Design the Replacement of Fitch’s Bridge: Mr. Haddad stated that the proposal is to replace the bridge and that the Greenway Committee met and has recommended submitting this article. The Greenway Committee feels that this is the best solution and expects the replacement to be \$850k. Mr. Haddad suggested taking 100k from free cash and to borrow the rest when bond for fire station. Mr. Schulman asked if this could be put off until January. Mr. Petropoulos was not in favor of bundling the fire station borrowing with Fitch’s bridge borrowing. Mr. Degen suggested restoring the money used through TIP for bridge. Mr. Degen suggested that the funding should come from the stabilization fund so it takes 2/3 to pass and the borrowing of the remaining funds would take a 2/3 vote. Mr. Prager asked if the project was worth doing. Ms. Stanly noted a pipe line that could go across that would help the Throne area. Ms. Stoddard urged selectmen to approve this project. Mr. Cunningham asked if extending a pipe would work.

*Mr. Degen left the meeting at 9:40pm*

19. Articles 19-23 are Acceptance of Public Ways. This hearing will be held on Monday, September 24<sup>th</sup>.
24. Citizen Petition-Zoning Amendment: The public hearing for this article is scheduled for September 27<sup>th</sup> at 7:30pm.
25. Article 25 and 26 are citizen petitions to rescind the vote for the fire station at the last Town Meeting. Alix Chace submitted two articles. Ms. Chace stated article 25 simply rescind the vote Article 12 of the last Town Meeting which limits building on the property. Article 26 is more specific and Ms. Chace stated that the land would be protected under a CR restriction, and prohibits building on the land. Mr. Haddad stated that Ms. Chace requested this particular order of the articles.

*Mr. Cunningham moved to close the public hearing. Ms. Eliot seconded the motion. Hearing closed.*

#### **TOWN MANGAER'S REPORT CONTINUED**

4. Mr. Haddad stated that the Board needed to approve and sign the Conservation Restriction on the Town Forest.

*Mr. Cunningham moved to approve and sign Conservation Restriction as submitted. Mr. Petropoulos seconded the motion. Motion carried 4-0.*

5. Mr. Haddad asked that the selectmen to revoke the Beer and Wine Package Store License to Nine West Properties due to her owing state taxes. Recently the ABCC denied the transfer of this license to Clover Farm General Store, based on the non-payment.

*Mr. Cunningham moved to revoke the Beer and Wine Package Store License issued to Nine West Properties. Ms. Eliot seconded the motion. Motion carried 4-0.*

6. Mr. Haddad asked the board to approve the Goals and Objectives for the ensuing year. At last week's meeting comments were made and Mr. Haddad incorporated those comments into the document.

[Document 3: Draft Goals & Objectives]

*Mr. Cunningham moved to adopt the Selectmen's Goals and Objectives. Ms. Eliot seconded the motion. Motion carried 4-0.*

#### **SELECTMEN LIAISON REPORTS**

None.

#### **ADJOURNMENT**

*Mr. Cunningham moved to adjourn at 9:53pm. Ms. Eliot seconded the motion. Meeting adjourned*

Approved: \_\_\_\_\_

John G. Petropoulos, Clerk

\_\_\_\_\_ respectfully submitted,

Patrice Garvin

Executive Assistant to the Town Manager

Date Approved: 10-1-12