

**BOARD OF SELECTMEN
MINUTES SEPTEMBER 24, 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.

TOWN MANAGER'S REPORT

1. Mr. Haddad stated the one day liquor license was withdrawn.
2. Mr. Haddad stated that the town successfully concluded negotiations with the Lawrence Homestead Trust and finalized the Purchase and Sales Agreement to acquire the 2.79 parcel on Farmers Row for the home of the new Center Fire Station for \$350,000. [Document 1: Copy of P&S] Mr. Haddad requested that the Board vote and sign the P&S. All five Trustees signed and the closing date is 2/14/13.
Mr. Cunningham moved to approve the Purchase and Sales Agreement for the Lawrence Homestead Trust property on Farmers Row. Ms. Eliot seconded the motion. Motion unanimously carried.
3. Mr. Haddad stated that the Conservation Commission has requested comments from the Board on the proposed Aquatic Weed Management Program for Lost Lake/Knops Pond. With the help of various Board members a letter had been drafted for the Boards approval. [Document 2: Draft Letter to CC] Mr. Cunningham asked if the public safety concerns on the lake can be included in the letter.
Mr. Cunningham moved to authorize the Chairman to sign the letter to the Conservation Commission dated 9/25/12 on the Aquatic Weeds Management. Mr. Petropoulos seconded the motion. Motion unanimously carried.

PUBLIC HEARING-EARTH REMOVAL PERMIT-BLOOD FARM-VOTE MAY BE TAKEN

Mr. Schulman read the legal notice into the record. [Document 3: Earth Removal Back-up]

Mr. Cunningham moved to open the public hearing. Ms. Eliot seconded the motion. Hearing opened.

Ms. Collette stated that this was a renewal and there has been little activity on the site regarding earth removal and that the Earth Removal Committee recommended approval.

*Mr. Cunningham moved to close the public hearing. Mr. Petropoulos seconded the motion. Hearing Closed.
Ms. Eliot moved to renew the Earth Removal Permit to Blood Farm Map 106, Parcel 15, to expire October 6, 2014, with same conditions. Mr. Cunningham seconded the motion. Motion unanimously carried.*

PUBLIC HEARING- REQUEST TO CHANGE REDSKIN TRAIL TO HARMONY LANE

Mr. Schulman read the legal notice. [Document 4: Request and petition from Colin Williamson]

Mr. Cunningham moved to open the public hearing. Ms. Eliot seconded the motion. Hearing opened.

Colin Williamson wanted the name changed because of the racial undertones and sought a more "normal" name. Mr. Williamson stated that he had 16 signatures. Mr. Petropoulos also noted a request to change the numbering. Mr. Williamson stated that his house is the first house on the street and his number is 17. Ms. Collette reminded the Board that a revised street numbering bylaw was instituted and previously numbering has changed for public safety reasons. Ms. Collette noted national standards for numbering. Mr. Cunningham found

that all well and good but stated the issue the Board was to decide on was the naming of the street. Karen Lippert did not want to change the name due to the burden it would create on residents. Kevin Pitre also did not want to change the name and asked about title searches. Bob Collins stated that he saw a name change as problematic in the future for residents. Mr. Degen agreed that a change in the name would be burdensome. Mr. Schulman thought that the name change could be considered if there was a vast majority of support to change it, which he did not see at the moment. Mr. Schulman suggested a delay on the issue to gather more information.

Mr. Cunningham moved to close the public hearing. Mr. Degen seconded the motion. Hearing closed. Discussion ensued as to how to move forward with the vote. Mr. Williamson decided to withdraw his petition and bring it back.

Mr. Degen moved to accept the withdrawal of the street renaming application for Redskin Trail. Mr. Cunningham seconded the motion. Motion unanimously carried.

PUBLIC HEARING TO ACCEPT LAYOUT OF THE FOLLOWING ROADS-QUAIL RIDGE ROAD; A PORTION OF ROBIN HILL ROAD; FOREST DRIVE; WINDING WAY; PAUGUS TRAIL

Mr. Cunningham read the legal notice. Mr. Haddad stated that the DPW Director and the Planning Board have recommended all of the roads for approval. Mr. Haddad suggested taking each road one by one for discussion. Mr. Collins gave a brief review of the roads. For Paugus and Winding Way there is a gate up. Mr. Collins stated that the gates could be removed. Mr. Haddad noted that the roads would not be plowed if the gates stayed up. Mr. Degen did not understand why a road was being accepted if there was no construction on the road. Abutters present requested that the gates remain up until building takes place.

Mr. Cunningham moved to close the Public Hearing. Mr. Petropoulos seconded the motion. Hearing closed.

Mr. Cunningham moved to approve Quail Ridge Road, subject to terms and conditions, indemnification and waivers. Ms. Eliot seconded the motion. Motion unanimously carried.

Mr. Cunningham moved to approve Robin Hill Road, 0+00 to 0+375, subject to terms and conditions, indemnification and waivers. Ms. Eliot seconded the motion. Motion unanimously carried.

Mr. Cunningham moved to approve Forest Drive, subject to terms and conditions, indemnification and waivers. Ms. Eliot seconded the motion. Motion unanimously carried.

Mr. Cunningham moved to approve Paugus Trail, subject to terms and conditions, indemnification and waivers and that the gates remain until construction. Ms. Eliot seconded the motion. Motion unanimously carried.

Mr. Cunningham moved to approve Winding Way, subject to terms and conditions, indemnification and waivers and that the gates remain until construction. Ms. Eliot seconded the motion. Motion unanimously carried.

FINALIZE 2012 FALL TOWN MEETING WARRANT AND TAKE POSITIONS ON ALL WARRANT ARTICLES

Mr. Haddad reviewed the warrant articles and asked the Board for their positions.

1. Unpaid Bills-Unanimous support
2. FY12 Budget-This article has been withdrawn.
3. Transfer Money into the Capital Stabilization Fund-Mr. Haddad stated that this would bring the fund up to 1.5%. –Unanimous Support
4. Transfer Money into the Stabilization Fund- Mr. Haddad stated the first phase of the Fitch's Bridge Article would be placed in this fund and then if it is turned down by Town Meeting the reserves get built up. –Unanimous support
5. Creation of Lost Lake Sewer System-
6. Design & Construction of Lost Lake Sewer Project- Mr. Haddad stated that after reviewing the long range budget of the Town, as well as the proposed funding for both the Lost lake Sewer Project and the new Center Fire Station wanted to review various funding options and their impact on the Town's Operating Budget. Mr. Haddad stated that it was his plan to fund both these projects within the Town's levy capacity and not increase taxes. Two reports were given regarding funding, the first outlines the project cost to the Town for the Lost Lake Sewer System and the per EDU cost based on a Twenty Year Loan from the State Revolving Fund at both 0% and 2% interest. It also takes into consideration that the Four Corners Commercial District will cover 24% of the Cost. The Town has been approved for a loan through SRF at 2% and this is what should be under consideration by the Board and Town Meeting. Mr. Haddad also showed a cost offset by the Board's approval to recommend that the Town pay up to 25% of the debt service for this project. The second spreadsheet outlines the available funds in the current FY13 Budget that can be used in future years to fund these projects without raising taxes. [Document 5 & 6: Lost Lake Possible Cost Breakdown] Mr. Haddad stated that 50 potential homes could be built and that the Baptist Churches that own Groton woods had not provided any negative feedback on the project. Mr. Haddad showed how the Fire Station, Fitch's Bridge and the Lost Lake Sewer Project could be done without raising taxes. FY16 would be the first year of payment for the Lost Lake Sewer Project note. Mr. Haddad stressed that what the Board was seeing was worst case and that the number could only get better. Mr. Haddad stated that the Town is looking into other grants and programs that the Town could be eligible for funds. Mr. Petropoulos was concerned that the number could go beyond 12 million and what is presented does not contemplate those figures. Mr. Haddad trusted the engineer's estimates but the total cost is unknown until the Town goes out to bid. Mr. Haddad stated that he would not raise taxes to fund projects. Mr. Cunningham stated that it was tight but doable and asked about projects in the future. Mr. Haddad stated that aside from capital projects he sees no immediate building issues. Mr. Haddad noted that the Town was currently ½ million under the levy limit. The Finance Committee is 4-3 against the project, mostly the 25% tax payer costs. Mr. Petropoulos asked what would happen if the project was delayed and what was impacted. Mr. Haddad stated not voting it at this Town Meeting the Town could lose out on applying for 0% loan with SRF. A regular bond would be a twenty year with as much as 3.75 % interest. Mr. Petropoulos asked how long the inter-basin transfer would be good for. The answer was five years. The delay in risk in with the interest parentage on the loan and the construction prices going up. Mr. Rafferty also stated that capacity can go down if the project is delayed. Mr. Degen asked why Fitch's Bridge is added to the Fire station bond. Mr. Haddad explained that the bond for Fitch's Bridge is so small that it would be difficult to sell the bonds. Mr. Petropoulos was concerned with the project costs being over 12 million.

The Board was unanimous to create the sewer system, Article 5. The Board recommended 4 yes and 1 no for Article 6, The Design & Construction of Lost Lake Sewer Project. Mr. Petropoulos was against due to his uncertainty of the actual amount. Mr. Haddad stated that an exact number can't be given at this point but it will not exceed \$200k. Mr. Petropoulos challenged whether there were nitrates in the lake and that there was too much uncertainty to vote for the project. Ms. Eliot stated that past studies have demonstrated nitrates and Mr. Petropoulos was indicating that the past test were not accurate, which is misleading. Mr. Petropoulos stated that test recently done did not show nitrates. Mr. Rafferty, of Woodard and Curran addressed the past studies and noted the recent test do not show statistical relevance.

7. The Board was unanimous in the recommendation of Article 7 which authorizes an inter-municipal agreement with Ayer.
8. The Board unanimously agreed to Article 8, the Community Preservation Committee's Funding Accounts.
9. Article 9 is the CPC application for \$25k to the Conservation Fund. This money will go toward the purchase of a parcel of land, indicated in Article 18. Mr. Degen did not feel that this was not a good use of money and if there is no reimbursement from the state then the fund is depleted. Mr. Haddad stated that there is no P&S signed yet and that the decision to transfer the money is Town meetings. Mr. Cunningham wanted to see the appraisal for the land before taking a position. The Board recommended 2 against and 3 ATM.
10. The Board of Selectmen unanimously opposed this Article regarding the Lawrence Trust site land.
11. The Board of Selectmen unanimously opposed this Article regarding the Lawrence Trust site land.
12. The Board of Selectmen unanimously approved Article 12 that connects sewer for the Farmers Row Parcel.
13. Article 13 was deferred to the Fall Town Meeting to gather more information.
14. Article 14 regarding the rezoning from residential to public was recommended by the Selectmen 4 yes and 1 ATM.
15. Article 15 to Amend Chapter 81 of the Code of the Town of Groton was recommended unanimously by the Board.
16. Article 16 to establish and Affordable Housing Revolving Fund was recommended unanimously by the Board.
17. Mr. Haddad suggested that the Article to repair the septic system at Squannacook be withdrawn.
18. The Board recommended 2 no and 3 ATM for the Land Acquisition on Chicopee Row. The Board needs more information.
19. The Board discussed the Article to Design and Replace Fitch's Bridge. Mr. Degen asked if it was possible to get on the MRPC TIP. Mr. Haddad stated that the State was not willing to fund the project. Mr. Petropoulos felt that the bridge has a public safety issue and kids were jumping off of it. The Board recommended 2 against and 3 ATM.
20. Article 20-24 were recommended unanimously by the Board.
25. The Board unanimously deferred The Citizen's Petition on Zoning to Town Meeting.
26. The Board unanimously deferred the Offset of the Tax Rate to Town Meeting.

OTHER BUSINESS-PROPOSAL FOR ONE SESSION DELAY ON CERTAIN MATTERS BEFORE THE BOARD [Document 7: Policy]

Mr. Petropoulos stated that the Board needed time to prepare for a vote, referencing a recent vote he had taken to abstain. The reason for the abstention was due to not having enough time to gather information. Mr. Petropoulos stated that he was unable to consider views of people that he represents. Mr. Petropoulos stated that he was not looking to micro manage or slow things down. Mr. Petropoulos read the policy language and asked for comments. Mr. Cunningham referenced the Charter and the Board of Selectmen Policy and Procedures that accounts for time for the Board to review. Ms. Eliot was against the policy because she felt it removed the Board's democratic process, and that members occasionally get outvoted. Mr. Degen apologized for behavior at the last Board meeting and stated that he was caught off guard with an appointment. Mr. Schulman did not feel the proposed policy was healthy. Mr. Haddad stated that since his tenure no appointment has been rejected and nothing has changed in the way he supplies information to the Board. Mr. Haddad added that if something comes up then he brings it to the Board's next meeting. Mr. Petropoulos stated that he was elected to represent people and he can't provide that representation without first hearing from the people on a particular matter.

Mr. Petropoulos moved to adopt the Policy in the proposed language that gives a 1 session delay for any issue one selectmen deems necessary. Mr. Cunningham seconded the motion. Motion defeated, 1-yes, 3 no, 1 abstention.

SELECTMEN LIAISON REPORTS

Mr. Schulman commented on the Board of Trade meeting.

ADJOURNMENT

Mr. Cunningham moved to adjourn at 9:33pm. Ms. Eliot seconded the motion. Meeting adjourned

Approved: 
John G. Petropoulos, Clerk

respectfully submitted,
Patrice Garvin
Executive Assistant to the Town Manager

Date Approved: 1-22-12