

**BOARD OF SELECTMEN
MINUTES FEBRUARY 3, 2014
APPROVED**

Present: Peter S. Cunningham, Chairman; Anna Eliot, Clerk; John G. Petropoulos

Absent: Stuart M. Schulman; Josh Degen

Also Present: Mark W. Haddad, Town Manager; Dawn Dunbar, Executive Assistant

Mr. Cunningham called the meeting to order at 7:00pm.

ANNOUNCEMENTS

Mr. Cunningham said that there had been a meeting with the Department of Revenue Division of Local Services who was conducting an audit of town government. This had not been done since 2004. Mr. Cunningham thought the meeting went well and looked forward to receiving the final report.

Ms. Vanessa Abraham, Library Director said that 10th annual Groton Reads was here. She said that they choose a lighter, fun book, "The Art Forger" by B.A. Shapiro, to read. The book tells about the Isabella Stewart Gardner Museum heist. Ms. Abraham said that there would be lots of exciting events going on having to do with the book such as discussions, a visit by the author as well as a trip to the museum.

TOWN MANAGER'S REPORT

1. Mr. Haddad said that he had reached out to those potential bidders of the Station Ave Fire Station to inquire as to why they didn't submit a proposal. Mr. Haddad said that parking was the number one issue. He asked the Board if they would like to have Mr. Webber in to talk about his proposal. Mr. Cunningham said he wouldn't be opposed to meeting with Mr. Webber.
2. Mr. Haddad said that the recent vote by the Water Commissioners not to support the sonar treatment of Baddacook Pond had prompted him to recommend having both the Water Commissioners and the Great Pond Advisory Committee in to their next meeting. Ms. Eliot asked if it would be a workshop session or an open meeting. Mr. Haddad said that he would schedule what the Board thought was best. Mr. Cunningham said that he was in favor of having them in adding that more people than they thought valued Baddacook Pond. Mr. Petropoulos said that he also was in favor as long as the discussion was well managed as both sides were passionate for their positions.

WETLAND BYLAW REVIEW COMMITTEE

Mr. David Black said that the committee had been charged with exploring the Wetlands Bylaw a year and a half ago. They had been meeting since June 27, 2012 and overall had 19 meetings. He said that many residents from the Lost Lake area, local business owners and residents from other parts of Town had attended the meeting. Town Counsel had also been involved throughout the process which was helpful. Mr. Black said that the bylaw had an effective means of protecting natural resources of the Town and had been important to the community. He said they looked at making the application process easier for applicants and the Conservation Commission. He said that they looked at "Exceptions" such as if land was already altered and how those changes could be dealt with. Ms. Eliot asked if the bylaw enabled someone to appeal the decision at the State level. Mr. Black said that the appeal process was clearly defined under both State and Local statutes. Mr. Black said that the addition of the term "Alteration" allowed the Conservation Commission to look at altered areas differently and also provided them with guidance in dealing with these instances.

Mr. Black said that they looked at the RDA (Request for Determination) process. He said that an RDA did not require a public hearing just posting on the agenda. Mr. Cunningham added that with an RDA abutters did not need to be notified.

Mr. Black said that the Committee didn't feel as though the bylaw should define the public good. He said that half of what they discussed involved this but no one was able to define the public good. Mr. Haddad added that the Committee was an important piece in itself.

Mr. Black said that streams were tough. He said that they were constantly changing and felt strongly that the Town should develop its own stream maps which he understood were well underway already. Mr. Black said that Buffer Zones were critical expansion zones and although they couldn't make a good recommendation at this time, he urged the Conservation Commission to revisit it at a future date.

Mr. Cunningham said that Mr. Black had led the Committee with a stable hand and thanked him. Mr. Petropoulos said that it must have been challenging to define alter and public good and commended the Committee on the work they had done. Mr. Art Prest said that he sat in on many of the meetings and spent a lot of time reading the regulations. He said that changes were made due to concerns from those residents living within the Buffer Zone. He said that his dealings with the Conservation Commission had always been good and thanked the Committee for all their hard work. Mr. George Barringer said that he thought a 10 day process was a short time frame adding that he thought 21 days might be better as it was tough to get a volunteer board together in a shorter period of time. Mr. Cunningham said that they look at that adding that it was mostly admin work on routine applications.

Mr. Haddad asked if the Committee wanted this added to the Spring Town Meeting warrant. Mr. Cunningham said "yes" adding that they would hold a public hearing before Town Meeting. Mr. Haddad asked if it would be a Conservation Commission article or a Board of Selectmen article. Mr. Cunningham said that it may be a joint sponsorship.

TOWN MANAGER'S REPORT CONTINUED

3. Mr. Haddad said that the Finance Committee thought the FY15 budget was well done and put together. He said that one issue of concern was the issue with regard to the school department. He said that the Finance Committee had asked him to go back and look at what a \$500K reduction would do and where cuts could be made. Mr. Haddad said that he met with the department heads that day and stressed that this wasn't a town vs school issue. He said that he would be working with his Finance Team that week to see what could be done. Mr. Haddad said that some items he had already been thinking about was revisiting was joining the Central Mass Mosquito Control Project and the Lost Lake Water Protection project. Mr. Petropoulos said that those were 2 items voted on at the Fall Town Meeting adding that they should take a hard look at them before deciding anything. Ms. Eliot said that she attended the School Committee meeting the week before where comments were made about the Town not accommodating the schools. Mr. Haddad said that the Town could not operate without a balanced budget. He said that it had always been his practice to set aside 2 ½ %. Mr. Haddad gave a couple of examples. In FY10 he proposed \$345,186 or 2 ½ % where the Town was \$14K under the levy limit. It is up to the district to say how much they need. In FY10 the school district took \$345,001. In FY12 he proposed 2 ½% or 365,400 and the district requested \$11,094. The Town had \$479,566 in unexpended tax capacity. The money not taken by the schools was not spent. It became part of the \$479K unexpended tax capacity. Mr. Haddad went on to show what the unexpended tax capacity would be if the schools had taken the proposed 2 ½ % every year. He added that we are a town and we would work closely with the schools to address this. Mr. Bud Robertson said that Mr. Haddad's spreadsheet addressed concerns brought up at the last School Committee meeting. He said that the people in the audience didn't realize that the money set aside for the schools was made part of the unexpended tax capacity. Mr. Haddad said that ever since he found out there was a problem, the lines of communication had been open between the schools and the town.

Mr. Barry Pease said that he appreciated the analysis and asked if it was known where the mistakes had come from. Ms. Eliot said that an audit was being done and the report was due sometime in mid-February. Mr. Haddad said that he would provide an update at the next Board meeting on 2/10.

MINUTES

Ms. Eliot moved to approve the meeting minutes of January 13, 2014. Mr. Petropoulos seconded the motion. Mr. Cunningham said that because he was not at that meeting he was going to abstain from voting. Mr. Haddad said that he would bring the minutes back to a future meeting for approval.

Mr. Petropoulos moved to enter into Executive Session pursuant to M.G. L. c. 30A, §21, cl. 3 “to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares” and not return to open session. Ms. Eliot seconded the motion. Roll Call: Petropoulos-aye; Eliot-aye; Cunningham-aye

Approved: _____

Anna Eliot, Clerk

Date Approved: 3/10/14

respectfully submitted,
Dawn Dunbar, Executive Assistant