

**BOARD OF SELECTMEN MEETING
MINUTES MARCH 24, 2014
APPROVED**

Present: Peter S. Cunningham, Chairman; Josh A. Degen, Vice Chairman; Anna Eliot, Clerk; Stuart M. Schulman (via phone); John G. Petropoulos

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 would be a special election held on April 1, 2014 adding that a series of presentations on the budget, overrides and levy limits were being held and encouraged residents to attend.

TOWN MANAGER'S REPORT

1. Mr. Haddad said that the Groton School had requested a Certificate of Exemption from the Board to remove 5500 cubic yards of earth material from its campus on the westerly side of Farmers Row to the easterly side of Farmers Row and then back again. He said that the earth removal was being done in conjunction with the building renovation project on the Schoolhouse. Mr. Cunningham asked if police detail would be necessary. Mr. Haddad said that he didn't think so. Mr. Petropoulos asked if they should be concerned about any possible damage to the road. Mr. Cunningham said that Groton School would be responsible for the road. Mr. Haddad said that they could make that a condition of their approval.

Ms. Eliot moved to grant the Certificate of Exemption to the Groton School to remove 5500 cubic yards of earth material with the condition that any damages to the road be the school's responsibility in addition to the 6 conditions set by the Earth Removal Stormwater Committee. Mr. Degen seconded the motion. The motion carried unanimously.

2. Mr. Haddad said that the Light Department had applied for an Energy Grant from the Commonwealth that will allow them to assist various Town buildings, including schools, install energy efficient fixtures. As part of the grant, the Town is required to appoint an Energy Committee that meets at least quarterly to review energy related matters. He asked the Board to ratify the appointments of Kevin Kelly, Michelle Collette and Takashi Tada.

Mr. Degen moved to ratify the Town Manager's appointments of Kevin Kelly, Michelle Collette and Takashi Tada to the newly formed Energy Committee. Ms. Eliot seconded the motion. The motion carried unanimously.

3. Mr. Haddad said that at the request of the Police Chief, he asked the Board to ratify the appointment of Ian Brown as a Relief Communications Dispatcher.

Ms. Eliot moved to ratify the appointment of Ian Brown as a Relief Dispatcher with a term to expire on June 30, 2014. Mr. Petropoulos seconded the motion. The motion carried unanimously.

OTHER BUSINESS

Mr. Haddad said that Mr. Degen had asked him about the possibility of looking into the meals tax again. Mr. Haddad said that he did some research and found that in 2009 the Town could have taken in an additional \$55K if the Board had voted to increase the meals tax then. In FY11 the amount would be been \$90K, in FY12, \$97,500, in FY13 \$100K and through Feb of 2014 \$76K which at the end of the fiscal year could be close to \$110K. Mr. Haddad said that due to the tight budget and in looking for ways to generate additional revenue, this may be something to consider. If a vote was taken and passed 30 days prior to the end of the quarter, the Town would receive the subsequent quarter. He said that through 2012, 143 communities in the Commonwealth had all voted to increase the meals tax. Mr. Degen said that he received a phone call from a resident the week prior asking why they didn't vote for the increase in 2009. Mr. Degen said at that point the Board felt as though it was a small amount of money and didn't want to further burden residents or businesses. He said that it may not be worth proposing this

increase at the Spring Town Meeting as there wasn't enough time for discussions but definitely something they should consider. Mr. Cunningham said that it wouldn't affect the restaurants in town and didn't think that it would cause people to stop eating out. Mr. Haddad said that it would be an additional 75 cents on every \$100. Mr. Degen said that they could reopen the warrant if the Board thought it was a good idea to do so. Mr. Petropoulos said that he strongly objected to putting this on the present warrant. He said that it was not fair to people of businesses to open the warrant because they had an idea. Mr. Robertson said that an additional 75 cents on \$100 would not matter to him but asked what it would take businesses to be able to implement this change. Mr. Degen said that he didn't think it would be an issue for anyone with a POS system but agreed that businesses needed to be talked to first. Mr. Cunningham asked that it be placed on a future agenda for possible placement on the Fall Town Meeting warrant.

SPRING 2014 SPRING TOWN MEETING WARRANT

Mr. Haddad began by reading the 2 public hearing notices into the record.

Mr. Degen moved to open the public hearing. Ms. Eliot seconded the motion. The motion carried unanimously.

Mr. Haddad said that the Fire Station bond money received needed to be appropriated. Originally Town Counsel advised that it was necessary to add it to the warrant to have it appropriated but then decided they should. Mr. Haddad said that Town Counsel had drafted an article and asked the Board to add it to the warrant.

Mr. Cunningham said that he would entertain a motion to open the warrant to add the article Mr. Haddad just explained. Mr. Degen made the motion. Ms. Eliot seconded the motion. The motion carried unanimously.

Mr. Schulman joined the meeting via telephone.

Mr. Haddad asked the Board if they knew of any Committee reports that were going to be made as part of Article 1. Mr. Cunningham asked Mr. Pease if the Town Meeting Review Committee was planning on reporting their findings. Mr. Pease said that he would talk to his Committee and let the Board know. Ms. Eliot asked if the Planning Board was going to provide an update on the zoning changes. Mr. Giger said that they were fairly involved changes and didn't want to risk confusion. Mr. Petropoulos said that the Lost Lake Sewer Advisory Committee could present at Town Meeting. Mr. Cunningham said that it could be an involved discussion.

Mr. Schulman signed out of the meeting.

Mr. Haddad said article 2 was to apply for grants and article 3 was elected officials compensation. Article 4 was to adopt the FY15 wage and classification schedule for the bylaw employees. Article 5 was to vote to rescind the Central Mass Mosquito Control Project vote taken in the fall. He said that the assessment on their cherry sheet was \$73K adding that removing this was part of the proposed \$300K in cuts to the municipal budget. Article 6 was the operating budget. Mr. Haddad said that this budget assumed that the debt exclusion passed. Article 7 was the capital budget items. Article 8 dealt with line item transfers. Mr. Haddad said that article 9 and 10 were requests by the Water and Sewer Enterprises to transfer \$100K to each. The Water Department had some issues with overtime and maintenance items that came up that were not budgeted for. Article 11 was for prior year bills which there were none at this time. Article 12 was for the purpose of personal property revaluation in FY15 as part of a directive from DOR. Article 13 was to appropriate funding from receipts reserved fund. This was to reimburse the solid waste disposal tipping fees for expenses related to motor vehicle damage repair. He said that because the claim reimbursement was over \$20K, the funds needed to be appropriated by Town Meeting. Article 14 was to appropriate funds for deficit balances on grants. He said this would clear the books on the grants. Article 15 was a request by the Library Trustees to install accessible door openers at the library on the main entrance doors. The requested amount was \$9K.

Mr. Degen moved to suspend the public hearing and reconvene the Selectmen's meeting. The public hearing would reconvene upon completion. Ms. Eliot seconded the motion. The motion carried unanimously.

Mr. Haddad said that with the passing of Kevin McKenzie, the Town needed to appoint a representative to the Nashoba Valley Technical High School Committee (NVTHSC). The term of the appointment would expire on April 30, 2015. Mr. Haddad asked the Board to consider ratifying the appointment of Kristian Gentile as the representative adding that she currently served as the alternate. Mr. Cunningham asked Ms. Gentile why she wanted to be Groton full-time representative. Ms. Gentile said that he had 2 children in the school and was actively involved on the General Advisory Committee.

Town Moderator, Jason Kauppi, said that he would hear a motion to appoint Kristian Gentile to the NVTHSC as Groton's representative through April 30, 2015. Mr. Cunningham said that he offered the motion. Mr. Degen seconded the motion. The motion carried unanimously.

Mr. Degen moved to close the joint session with the Moderator and School Committee. Mr. Petropoulos seconded the motion. The motion carried unanimously.

Mr. Haddad said that Article 16 was a request by NVTSD to borrow money for an accelerated roof repair project. Mr. Haddad said that Article 17 was to allocate appropriate funds into the Community Preservation Fund accounts. Article 18 was a request by the Community Preservation Committee (CPC) to fund projects as recommended by the Committee. He said they were holding a meeting the following Monday to vote on those projects and would be meeting with the Board on April 7th. Mr. Petropoulos asked about Baddacook Pond and if the resubmitted application was on the warrant. Mr. Haddad said that all applications were currently on the warrant and could change based on the vote by the CPC. Mr. Haddad said that Article 19 was the debt service for Surrenden Farm in the amount of \$486,475. Mr. Haddad said that Article 20 and 21 were revisions to the Wetlands Bylaw and the Vehicles, Unregistered Bylaw.

Mr. Cunningham said that Chapter 215 dealt with the Wetlands Bylaw. He said that the Committee had looked at the bylaw for 2 year and made changes to some of it. He said that they had a couple of hearing before various Boards and changes had been endorsed. Ms. Eliot asked if any changes had been made since the last time this was presented to the Board. Mr. Cunningham said that the 2 water departments had been added to the notification section – 214-4. Mr. Hargraves asked if the setbacks were changed. Mr. Cunningham said they had not changed. He said that the Conservation Commission had the discretion. He said that many issues had come up on a routine basis, more so around the lake area. The Lakes Association was in favor of all the changes.

Mr. Cunningham said that Chapter 205 dealt with the Vehicles, Unregistered Bylaw. He said they lacked the ability to enforce this bylaw in its current state. Mr. Cunningham said that non-criminal process was added where fines could be assessed and changes to the definitions were made. Ms. Eliot asked if the Police Chief felt it could be enforced. Mr. Haddad said "yes" adding that the Police Chief was involved in the process. Ms. Sartini asked if it included trailers or just vehicles. Mr. Cunningham said that it covered unregistered vehicles and trailers but not boats. Mr. Petropoulos asked if they received input from the community. Mr. Cunningham said "yes."

Mr. Cunningham said that he would entertain a motion to close the public hearing on Articles 20 and 21 - Chapter 215 and 205. Mr. Degen made the motion. Mr. Petropoulos seconded the motion. The motion carried unanimously.

Mr. Haddad said that Article 22 was for the sale of Prescott School. He said that the proposal asked for a TIF over 10 years with no taxes in the 1st year and 100% in taxes by the 10th year. Hr. Haddad said that part of the proposal was that \$1.7M would be invested in the building on upgrades. He said that he would like a couple of the Selectmen to work with him to review the proposal. Mr. Degen and Ms. Eliot expressed interest. Mr. Green asked why a TIF could be considered on this proposal but not on Squannacook Hall. Mr. Haddad said that with a business you could

approve one but not on housing. Ms. Eliot asked if the Prescott Re-Use Committee was having a meeting. Mr. Pease said that he would be happy to sit in on the review as a citizen.

Mr. Haddad said that Article 23 was for the sale or lease of the Center Fire Station. Mr. Haddad said that they had received 5 bids all with very interesting uses. He said that the figures proposed ranged from \$5K-\$100K adding that he would also like to have a few people review the proposals with him. Mr. Haddad said that Mr. Schulman was interested in reviewing these proposals. Mr. Degen volunteered to review them also.

Mr. Haddad said that Articles 24-27 had to do with Squannacook Hall. He said that they were the same articles as in the fall. Mr. Cunningham said that the Christian Union Church had met with him and Ms. Eliot a few times to work out concerns which had been addressed.

Mr. Haddad said that Article 28 was changes to the Historic Districts Bylaw. He said that it was the same article that was pulled in the fall. Article 29 was changes to Article 190 brought forth by the Sewer Commission. He said that the Board of Health and the Sewer Commission would be holding public hearings on March 29th and were working cooperatively on the changes. Mr. Haddad said that Articles 30-33 are standard articles which the Moderator was working on putting those articles in a Consent Agenda, one vote to take care of those articles. Mr. Kauppi said that a Consent Agenda was a way to take care of non-controversial articles to save time. He said that those articles would be published in advanced. If a voter felt as though they wanted to discuss the article further, they could say HOLD and that item would be taken out of the consent agenda. Mr. Kauppi also suggested placing those articles at the end of the warrant. Ms. Eliot said that it was worth a try adding that it may take a couple of Town Meetings for voters to get used to it. Mr. Kauppi said that he was also going to have a couple of PR opportunities to explain how this would work for those interested.

Mr. Petropoulos asked if the warrant could show any tax implications for any of the articles. Mr. Haddad said that his budget message would include all of that information adding that it has been done for the 6 years he had been Town Manager. Mr. Petropoulos asked if it could be added next to each article adding that if people had to reference an index they may lose interest. Mr. Pease said that he agreed with Mr. Petropoulos adding that the info needed to be clear and in people's faces. Mr. Haddad referred the Board to page 27 of the draft warrant. He said the tax implication was next to each line item. Ms. Eliot agreed with Mr. Haddad adding that the numbers were there and clear. Mr. Cunningham said that he didn't want busy work created or to assume that residents didn't understand how to cross reference.

Mr. Degen moved to add the proposed TIF for Prescott School to the warrant. Ms. Eliot seconded the motion. The motion carried unanimously.

Mr. Degen moved to close the 2014 Spring Town Meeting warrant. Mr. Petropoulos seconded the motion. The motion carried unanimously.

Mr. Degen moved to close the public hearing on the warrant. Mr. Petropoulos seconded the motion. The motion carried unanimously.

MINUTES

Ms. Eliot moved to approve the Regular Meeting minutes of February 24, 2014 as corrected. Mr. Petropoulos seconded the motion. The motion carried 3-0-1 with Mr. Degen abstaining.

Ms. Eliot moved to approve the Executive Session minutes of February 24, 2014 and not release. Mr. Cunningham seconded the motion. It was asked that the minutes be brought back to the next meeting so a couple of changes could be made.

Mr. Petropoulos moved to adjourn at 9:00pm. Mr. Degen seconded the motion. The motion carried unanimously.

Approved: _____

Anna Eliot, Clerk

Date Approved: 4/7/14

respectfully *submitted*,
Dawn Dunbar, Executive Assistant