

**BOARD OF SELECTMEN MEETING  
MINUTES APRIL 22, 2014  
APPROVED**

**Present:** Peter S. Cunningham, Chairman; Josh A. Degen, Vice Chairman; Anna Eliot, Clerk; Stuart M. Schulman, 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 started the meeting by introducing Art Prest of the Groton Lakes Association for a presentation. Mr. Prest said that as President of the Groton Lakes Association (GLA), he would like present a donation to the Sargisson Beach Committee in the amount of \$5,000 to help to restore the beach. He said that the donation was in memory of a fellow GLA member, Stephen Marranzini who had recently passed away and who had served as the Association's treasurer. Mr. Haddad asked the Board to allow for a gift account to be set up so that this money could be gifted to the Sargisson Beach Committee.

*Mr. Cunningham said that he would entertain a motion to direct the Town Accountant to set up a Sargisson Beach Committee gift account to expend the money. Mr. Degen made the motion. Mr. Schulman seconded the motion. The motion carried unanimously.*

**TOWN MANAGER'S REPORT**

1. Mr. Haddad reviewed the motions for the annual Spring Town Meeting on April 28<sup>th</sup> at 7pm.
2. Mr. Haddad said that he met with the search team for the Fire Chief Search and Chief McCarraher at 5pm that day. He said that they had received 25 resumes and with the deadline having passed to submit resumes, the search team had begun the review process.
3. Mr. Haddad said that the closing on the Tarbell School with Country Kids at Rivercourt was supposed to have happened on February 4, 2013. He said that at the request of the buyer, the closing had been extended to allow for additional time. He said that with Country Kids no longer wishing to occupy the Tarbell School, they had expressed a desire to close and resell the property. He said Town Counsel's recommendation was for the Board to terminate the agreement and return the deposit. Mr. Cunningham thought it was appropriate to proceed in this manner as the intention was that it was to be used for educational purposes. Mr. Degen said that he preferred to have this done in mutual consideration. He said that he would like to ask the buyers into a future meeting to discuss it. Ms. Eliot said there had been a great deal of discussion at Town Meeting over the sale of this property. She thought they should rescind the Purchase and Sales Agreement. Mr. Haddad said that in full disclosure he told the buyers it was okay to explore this possibility and bring back their proposal to him. He said that they have done that, that he notified the Board and the Board didn't feel flipping the building was appropriate. Mr. Schulman said that he thought they should terminate the agreement adding that he also had no problem reaching out to the buyer to set up a meeting and waiting a week. Mr. Hargraves asked if the septic system had been fixed already. Mr. Haddad said "yes." Ms. Erickson asked if Mr. Haddad knew what the proposed use was if the building was flipped. Mr. Haddad said "no." Mr. Lyman asked if the Purchase and Sales specified the planned use. Mr. Haddad said "yes."
4. Mr. Haddad said that as the Board knew, he and his working team had been working with Gregg Yanchenko on the sale of Prescott School. He said that they had begun to negotiate the Purchase and Sale Agreement and the TIF (Tax Increment Financing) through Town Counsel and Mr. Yanchenko's attorney. He said that the sale price would be \$35K, the buyer would be solely responsible for funding a gravel parking lot at a cost of \$60-65K, that a walkway connecting to the rail trail would be constructed by the buyer, that the buyer had allowed for community use of the exterior of the property 4x's per year and the

Town would have the option to purchase back the property for \$35K plus any money the buyer had put into the property. He said that he met with the Prescott Reuse Committee at 6pm who at that time voted to rescind their original vote to not support the sale and instead voted 3-0-2 in favor of selling Prescott School. Mr. Haddad said that the TIF would be over a 6-year period where they would be receiving 100% of the taxes at the 7<sup>th</sup> year. Mr. Cunningham asked how the parking lot would work. Mr. Haddad said that the property would have to be rezoned and a vote to rescind the cy pres petition would need to occur. Mr. Haddad handed the Board a copy of the appraisal and said that it had been done by professional appraiser, Ellen Anderson, adding that he thought she had done a thorough job. Mr. Degen said that the only issue he had was with the TIF, he would rather see a 5-year TIF and added that he thought it would only be fair to move it to Town Meeting and let the voters decide. Mr. Cunningham asked if it was known how much money they were talking about between years 5-7 of the TIF. Mr. Degen said he estimated somewhere between \$32-35K. Mr. Cunningham said that it seemed like a small amount in the scheme of things and hated to see it go down because they were quivering over \$32K and not being business friendly. Mr. Petropoulos said that he could not support this adding that a small group of individuals were meeting the following week to discuss marketing of town properties. Mr. Petropoulos said that an offer of \$35K for both the Tarbell School and Prescott School meant, in his opinion, they had not done a good job with marketing their buildings.

Mr. Yanchenko said that the building would be used for business use for architect offices as well as an e-company and their printing partner who had agreed to relocate from Hudson, MA. He said that the current utility cost incurred by the Town each year was around \$40K. He said that the building was currently useable and took exception to anyone who thought differently. He said that he would be forced to install a sprinkler system, replace and upgrade the power, replace the bathrooms, make it handicap accessible and install fire doors to start. He said that he had agreed to build a municipal parking lot and walkway and would allow exterior community use at least 4x's a year. He also said that he offered to lease back to the Town for \$1 the gymnasium but the Town would have to renovate it. He said that could cost around \$500K. Mr. Degen asked how much Mr. Yanchenko was planning to invest. Mr. Yanchenko said \$1.7M over the next several years. Ms. Eliot said that the comparables in the appraisal were similar to the Prescott School. She said that they had heard from a real estate broker who said they could sell it for more but had not heard any ideas. He said that it was really promising that someone local wanted to invest in their town adding that this would revitalize economic development in their community. She also said that a 60 space parking lot was something that was much needed in the down town area. Mr. Harker asked if a traffic study had been done. Mr. Cunningham said that that would be something to discuss with the Planning Board.

*Mr. Degen moved to bring these 2 articles 1) allowing the Board of Selectmen to work on a sale and 2) to engage in a TIF, to the Spring Town Meeting. Ms. Eliot seconded the motion. The motion carried unanimously.*

*Mr. Cunningham, Ms. Eliot and Me. Schulman supported articles 21 and 22; Mr. Degen deferred until Town Meeting; Mr. Petropoulos was not in favor of the articles.*

5. Mr. Haddad said that the Zoning Board of Appeals recommended that the Board appoint Alberta Erickson of 464 Boston Road to one of the Alternate vacancies on the ZBA. He asked the Board to consider the appointment with her term to expire on 6/30/14.

*Ms. Eliot moved to appoint Berta Erickson as Alternate Member to the ZBA term to expire on June 30, 2014. Mr. Schulman seconded the motion. The motion carried unanimously.*

6. Mr. Haddad said that he had enclosed a list of the Underground Fuel Storage Permits that needed to be renewed by the Board for the ensuing year. He said that all location had been inspected by the Fire Chief and read the memo into the record.

1. Deluxe Corporation  
License to expire on April 30, 2015  
Located at 500 Main Street  
Fuel Storage license originally granted on 12/15/2003
2. Groton School  
License to expire on April 30, 2015  
Located on Farmers Row  
Fuel Storage license originally granted on 12/15/2003
3. Global Montello Group Corp.  
License to expire on April 30, 2015  
Located at 6 Boston Road  
Fuel Storage license originally granted on 3/25/2003
4. A.L. Prime  
License to expire on April 30, 2015  
Located at 619 Boston Road  
Fuel Storage license originally granted on 7/13/2009
5. Hollingsworth & Vose  
License to expire on April 30, 2015  
Located at 219 Townsend Road  
Fuel Storage license originally granted on 2/13/1989
6. Groton-Dunstable Regional School District  
License to expire on April 30, 2015  
Located at 342 Main Street  
Fuel Storage license originally granted on 12/15/2003
7. PGI Realty, LLC  
License to expire on April 30, 2015  
Located at 318 Main Street  
Fuel Storage license originally granted on 11/01/2004

He asked the Board to approve the licenses. Mr. Degen asked that AL Prime be voted on separately. *Mr. Schulman moved to adopt the licenses as described by the Town Manager. Ms. Eliot seconded the motion. The motion carried unanimously.*

*Mr. Schulman moved to approve the license for AL Prime. Ms. Eliot seconded the motion. The motion carried 4-1-0 in favor with Mr. Degen opposed.*

7. Mr. Haddad said that the agreement with Covanta of Haverhill, MA to dispose of the Town's solid waste was due to expire on June 30, 2014. He said that they had proposed a contract amendment which would take the contract through June 30, 2018. The Town, as part of the agreement, would see a reduction in its current tipping fee and rates would be locked in for the term of the contract. He said this was a good deal for the Town and provides us with a \$5-10K savings. Mr. Cunningham asked why tipping fees were going down. Mr. Delaney said that Covanta was not the only vendor in town anymore and Covanta had come in at the lower rate.

*Mr. Degen moved to enter into a contact with Covanta for a term to end on June 30, 2018 as stipulated in the contract and authorized the Town Manager to sign it. Ms. Eliot seconded the motion. The motion carried unanimously.*

## MINUTES

*Ms. Eliot moved to approve the Regular Session meeting minutes of March 31, 2014. Mr. Degen seconded the motion. The motion carried unanimously.*

**ANNOUNCEMENTS**

Mr. Cunningham said that Town Meeting would be held on April 28<sup>th</sup> at 7pm at the Performing Arts Center. He said that babysitting would be available to Florence Roche from 7-9pm thanks to APEX.

Mr. Degen said that he would like to congratulate everyone that ran in the Boston Marathon and also congratulated Rachael Mead of the Police Department who ran and raised \$13K for the One Fund.

*Mr. Schulman moved that they enter into Executive Session pursuant to M.G.L. c.30A, §21, cl.1 “to discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or discuss the discipline or dismissal of, or complaints or charges against, a public officer, employee, staff member or individual” and not return to Open Session. Mr. Degen seconded the motion. Roll Call: Cunningham-aye, Degen-aye, Eliot-aye, Petropoulos-aye, Schulman-aye*

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

Anna Eliot, Clerk

Date Approved: 5/19/14

\_\_\_\_\_

respectfully *submitted*,  
Dawn Dunbar, Executive Assistant