

**BOARD OF SELECTMEN MEETING  
MINUTES MAY 19, 2014  
APPROVED**

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

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

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

Mr. Haddad said that he had a couple of items he wanted to add to the agenda. He wanted to talk about an RFP to procure Real Estate Marketing Services, update the Board of the Fire Chief Search and discuss Tennessee Gas. He added that Mr. Petropoulos was participating remotely via telephone.

**TOWN MANAGER'S REPORT**

1. Mr. Haddad said that he had provided the Board with a proposed press release and redacted version of a recent harassment investigation conducted in the Fire Department. He asked the Board to issue the press release that evening. Mr. Haddad read the press release, dated May 19, 2014, into the record.

Mr. Russ Harris of the Groton Herald asked if anything else was found. Mr. Haddad said that he was not going to comment on any personnel matters beyond the press release. Mr. Harris asked if the original conflict was between the paid and on call members and if the Board was concerned. Mr. Cunningham said that the press release and the report were self-explanatory. Mr. Petropoulos asked that the statement be modified to take out "include facts which" in the first paragraph. He said that the allegations were completely unsubstantiated and thought the press release left if worse off. He added that he felt as though they were doing more to protect themselves than the employees. Mr. Cunningham said that the allegations were found to be unsubstantiated. Mr. Degen said that accolades are given to the department but they don't glorify within. Mr. Art Campbell of the Groton Line asked if they could speak to any staffing changes. Mr. Cunningham said that they couldn't adding that they were in the process of scanning for a new Fire Chief. Mr. Tyler Shute asked if the individuals had been exonerated of any charges. Mr. Haddad said that they had.

2. Mr. Haddad said that the sale of the Center Fire Station had been approved at Town Meeting. He said that Attorney Collins and the McElroy's were present and that the Purchase and Sale had been negotiated. He asked the Board to consider the Purchase and Sale that night adding that a \$15K deposit had been given to the Town already and \$85K would be due upon closing. Mr. Bob Collins thanked the Board and said that he had three copies of the Purchase and Sale for the Board to sign. He said that they were meeting with the Land Use Department in June and they had already contacted the Water/Sewer Department adding he hoped to be ready for site plan review and special permit in June. Mr. Collins said they didn't make the closing dependent on approvals. Mr. Haddad said that they only had to wait for the Fire Department to vacate and hoped to be out by July 1<sup>st</sup>. Ms. Eliot asked if there was a right of first refusal. Mr. Collins said "yes" within three years if they don't do what they said.

*Mr. Degen moved that the Board of Selectmen execute the Purchase and Sale agreement between the Town of Groton and Dan and Laurie McElroy as presented. Ms. Eliot seconded the motion. Roll Call: Eliot-aye; Degen-aye; Cunningham-aye; Schulman-aye; Petropoulos-aye*

3. Mr. Haddad said that at Town Meeting in 2011 the Town authorized a \$2M bond for GELD's new facility. They were able to secure a better rate and asked the Board to sign the document. Mr. Hartnett said that even though it was a \$4M project, they would keep this \$2M in this bond due to the great rate. Mr. Cunningham said that it was a great benefit to the Town of Groton, GELD and the rate payers to be able to save them some money.

4. Mr. Haddad respectfully requested permission from the Board to take a vacation from May 27<sup>th</sup> through June 2<sup>nd</sup> and asked the Board to appoint Mr. Bouchard as Acting Town Manager in his absence.  
*Mr. Cunningham said that he would entertain a motion to approve Mr. Haddad's request and appoint Mr. Bouchard as the Acting Town Manager. Ms. Eliot made the motion. Mr. Degen seconded the motion. Roll Call: Eliot-aye; Degen-aye; Cunningham-aye; Schulman-aye; Petropoulos-aye*
5. Mr. Haddad said that he had appointed Rebecca Herlihy and Meghan Ryan as Pro Shop Staff at the Groton Country Club and asked the Board to ratify the appointments.  
*Mr. Degen moved to ratify the appointment of Rebecca Herlihy and Meghan Ryan as Pro Shop Staff at the Country Club. Ms. Eliot seconded the motion. Roll Call: Eliot-aye; Degen-aye; Cunningham-aye; Schulman-aye; Petropoulos-aye*

#### **REAL ESTATE MARKETING SERVICES RFP**

Mr. Haddad said that John Amaral and Bud Robertson who helped work on ways to market Town owned properties were here. Mr. Haddad said that he provided the Board with a proposed RFP to market and sell Prescott School and Tarbell School. He said that they still had to advertise in the Central Register but didn't think a realtor help also could hurt them. Mr. Petropoulos said that a realtor would give them the opportunity to have someone else market and show the properties. Mr. Haddad said that commissions, a percentage of the sale as outlined in the RFP, would only be paid out on closing. Mr. Cunningham asked if the realtor would have to put money out to market the property. Mr. Haddad said that all advertising would be at the expense of the realtor. It was the risk they would take. He said that they would have to ask Town Meeting for commission. Mr. Degen asked if Town Counsel had reviewed the RFP. Mr. Haddad said "not yet." Mr. Degen asked if they could make it contingent on Town Counsel's review. Mr. Haddad said they could. Mr. Amaral said that there were 3 sites that were critical for posting the properties: 1) MLS which reached residential brokers; Costar & Loopnet which was used by commercial brokers and 3) Banker and Tradesman or New England Real Estate Journal. Mr. Haddad asked where they should advertise the RFP. Mr. Amaral thought the regional paper and Banker and Tradesman. Mr. Degen asked if they had a legal requirement to advertise the RFP in print media. Mr. Haddad said "no" they only had to put it on their website. Mr. Amaral said that he would not be submitting a response but offered his services to help get the word out. Ms. Eliot asked how they determine a monetary value. Mr. Haddad said that price wasn't the driving factor so there was no obligation to take the highest bidder adding it was still subject to procurement laws.

*Mr. Cunningham said that he would entertain a motion to allow the Town Manager to issue an RFP for broker services contingent on Town Counsel review. Mr. Degen made the motion. Ms. Eliot seconded the motion. Roll Call: Eliot-aye; Degen-aye; Cunningham-aye; Schulman-aye; Petropoulos-aye*

#### **TENNESSEE GAS PIPELINE**

Mr. Haddad said that he and Michelle Collette had been trying for three months to get information from the folks at Kinder Morgan and to set up a meeting. He said that it had been an arduous task. He said that they had been asked for legal advice which they were not qualified to provide. Town Counsel was asked to research this further. He said that they were trying to organize a meeting for June 19<sup>th</sup> or June 26<sup>th</sup> and would get information out as soon as they could. Ms. Collette said that a brochure had been given to her a month or so ago which provided very little information. She said that whatever they had shared so far was all they had. Mr. Degen said that he was highly concerned with having a meeting in late June and asked if it could be done sooner. Ms. Eliot asked if the origin of the pipeline and its destination would be outlined. Mr. Haddad said that they were hoping it would.

Ms. Diane Hewitt of Longley Road said that she had some information she would like to share. She said a couple of months ago she was approached at her home by someone asking to survey her property. She said that a survey could include drilling. She said that she attended a 3 ½ hour meeting Pepperell a few weeks ago where representatives did their best not to answer questions. She said that this affects 2K homeowners throughout the State. She said that Kinder Morgan was not interested in speaking to the Town. She said that this could affect

the high school property, Groton Conservation Trust property and Groton Conservation Commission property. She said that homeowners affected were served with a notice and would require a 200ft strip easement. She said that other towns were actively working on this. She suggested that every homeowner in town be notified, that all info be distributed as time was of the essence, that they proactively reach out to all communities that something be put up on the town's website and that because it was a federal issue, they reach out to their representatives. Ms. Eliot asked if a forum should be set up to allow those to express concerns. Ms. Hewitt said that only those contacted know about this and wanted to see this become a state, town and regional effort. Mr. Haddad said that he would start the process and keep everyone informed.

**ANNOUNCEMENTS**

Mr. Petropoulos said that there would be a walk-a-thon at Florence Roche on Thursday at 1:30pm to benefit the Blood Farm Employees.

Mr. Degen said that the Sargisson Beach Committee held an annual clean-up where approximately 30 people attended. He said the place looked great adding that the beach would open even without lifeguards Memorial Day weekend. He also reminded everyone that Election day was tomorrow and precincts 2 and 3 would be voting at the Country Club.

Mr. Haddad said that the Fire Chief search had yielded 25 applicants. He said that his search team had narrowed it down to seven applicants to be interviewed and two ended up having to drop out. He said that the previous Thursday and Saturday the five applicants had been interviewed by seven members including Captain Daly and Captain Emslie, Mr. Cunningham and Mr. Degen, Mr. Robertson and Ms. Sartini and Police Chief Palma. He said that they narrowed the applicants down to three who would be interviewed by a technical review panel. Two of those had been done that day and one would be done on Wednesday. He said after that he would know if two or all three applicants would be brought to the Board for interviews. He planned to publically announce the finalists on June 2<sup>nd</sup> and would hold an assessment center on June 10<sup>th</sup>. He asked the Board to conduct their interviews sometime between the 2<sup>nd</sup> and the 10<sup>th</sup>. He said that this process had been outstanding and thought they would have a hard time choosing a candidate.

**MINUTES**

*Mr. Degen moved to approve the Regular Session meeting minutes of April 22, 2014. Ms. Eliot seconded the motion. Roll Call: Eliot-aye; Degen-aye; Cunningham-aye; Schulman-aye; Petropoulos-aye*

*Ms. Eliot moved to approve the Regular Session meeting minutes of April 28, 2014. Mr. Degen seconded the motion. Roll Call: Eliot-aye; Degen-aye; Cunningham-aye; Schulman-aye; Petropoulos-aye*

The minutes of May 5, 2014 were put on hold until a quorum was present to approve them.

*Mr. Degen moved to adjourn to Town Meeting at 8:15pm. Mr. Schulman seconded the motion. The motion carried unanimously.*

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

Anna Eliot, Clerk

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respectfully *submitted*,  
Dawn Dunbar, Executive Assistant

Date Approved: 6/2/14