

**BOARD OF SELECTMEN MEETING
MINUTES SEPTEMBER 15, 2014
APPROVED**

Present: Josh A. Degen, Chair; Anna Eliot, Vice Chair; Stuart M. Schulman, Clerk; John G. Petropoulos, Member

Absent: Peter S. Cunningham, Member

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

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

ANNOUNCEMENTS

Mr. Degen said that the Fire Station dedication was held over the weekend. He thanked the entire Fire Department for hosting the community. Mr. Degen said that a memorial service was also held on Saturday for Steve Mickle and sent condolences to his family. He thanked the Police Department and Fire Department for their assistance with the memorial.

TOWN MANAGER'S REPORT

1. Mr. Haddad said that the First Parish Church had requested a One Day Beer and Wine License for an event called "An Evening of Storytelling for Grown-ups" to be held on Saturday, October 4, 2014 from 7pm-10pm. He asked the Board to approve the request.

Ms. Eliot moved to approve the One Day Beer and Wine License for First Parish Church for October 4, 2014 from 7pm-10pm. Mr. Schulman seconded the motion. The motion carried unanimously.

2. Mr. Haddad said that as the Board was aware, they had a policy that requires Executive Session minutes be reviewed periodically to determine whether or not they should be released. Mr. Haddad said that several minutes had already been released adding that the following minutes should be released as they no longer defeat the purpose of remaining in executive session and asked the Board to release them.

- August 26, 2013 – Part 1 – Fire Union Contract Negotiations
- August 26, 2013 – Part 2 – Supervisor Union Negotiations
- September 9, 2013 – Squannacook Hall RFP
- September 30, 2013 – Part 1 – Supervisors Union Negotiations

Mr. Petropoulos said that he thought the state law said that the Board shall review the minutes not the Town Manager and Executive Assistant. He asked that this be postponed until Town Counsel had an opportunity to opine. He said that the minutes reviewed up until now go back to 2012 and wondered about the minutes prior to that. He said that they should also ask Town Counsel about review of those minutes. Mr. Degen asked Mr. Petropoulos how far back they should be going. Mr. Haddad said that in the summer of 2013, he had reviewed minutes going back to the 1980's and didn't recall seeing that his review of the minutes didn't meet state law. He added that the Board had taken his recommendation last year when he and his assistant had reviewed the executive session minutes. Mr. Petropoulos said that the law stated the "governing body" was responsible for reviewing the minutes. He said that the law also said that that all minutes must be reviewed periodically. Mr. Degen suggested that they delay this discussion for one week and hoped Mr. Petropoulos would ask Town Counsel the question on Wednesday night at Open Meeting Law training. Mr. Schulman said that a recommendation was being provided to them and was comfortable with the recommendation. He said that he had always saved copies of the minutes and if not knew where he could get a copy. He said that he was unclear as to what the issue was. The discussion was tabled for one week.

3. Mr. Haddad said that the Pipeline Working Group had drafted a letter to various State and federal Agencies requesting that they consider alternate routes for the proposed Tennessee Gas Pipeline. He said that he

provided the Board with a copy of the draft letter which had just been completed prior to the Board's meeting. He said that he hoped the Board could approve the letter and authorize him to send it out. He said that he could ask the Chair to sign the letter on behalf of the Board unless the Board felt they should all sign it. The Board was unanimous in its decision to have the Chairman sign the letter and allow the Town Manager to send it out.

4. Mr. Haddad said that they had recently received notice from the Alcoholic Beverages Control Commission there has been a change in M.G.L. c. 138 §15 governing Off-Premises Retail Licensees Sunday Opening Time. He said that effective October 23, 2014 package stores would now be allowed to open at 10:00am on Sunday's with permission from the Local Licensing Authority upon request. He said that Craven's Package Store had stopped by that morning to request permission to open on Sunday's at 10:00am. He asked the Board to approve the request. Mr. Degen asked if they could allow all package stores to do open at 10:00am at that meeting.

Mr. Schulman moved that those package stores already licensed be granted permission to open at 10:00am on Sunday's if they provide the Board with an application requesting such permission. Ms. Eliot seconded the motion. The motion carried unanimously.

5. Mr. Haddad asked if they could move their Goals and Objectives meeting from September 22nd to September 29th due to a meeting conflict that he had. The Board had no issues with the request.

PUBLIC HEARING TO REVIEW WARRANT

Mr. Haddad read the public hearing notice into the record.

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

The Finance Committee opened their meeting at 7:18pm.

Mr. Haddad said that the DOR had certified the Town's free cash at \$1,181,587. He said that they had \$455,538 in free cash remaining if all requests in the warrant were approved. He said that one article the Board takes up every year is using free cash to offset the tax rate. He said that the Board may want to consider it adding that every \$100K was \$28 off the tax bill. He reminded the Board that it was a one-time hit and couldn't be repeated every year.

Mr. Haddad said that article 1 was for prior year bills of which there was one for \$49 to be paid out of free cash. Article 2 was to amend the FY15 budget. He said that the budget approved in the spring was for 33,240,844 which put them \$74,780 under the levy limit. He said that an additional \$170,285 was available in levy capacity which put them at 245,065 under the levy limit. He said that things come up during the year even 10 months after the budget it finalized.

Mr. Haddad said that he was requesting that the Country Club's General Manager's salary be moved into other accounts and would have no impact on the budget. He said that he was requesting an increase of \$4,500 in BOS expenses for the Trails Committee to receive a state grant for an accessible trail.

Mr. Haddad said that he had received a request for the Town Accountant to look at the Assistant Town Accountant's position. He and the HR Director had determined that it was not classified properly and should be a Grade 9 position. He said that they would also like to increase the hours from 27 to 30 adding that the workload more often than not requires weeks where 30 hours are needed and having to decrease the following week by 3 hours so as to not go over budget. Mr. Degen asked how much of the \$6,070 was for the re-grade. Ms. Dufresne said \$2,200 was just for the re-grade. Mr. Petropoulos asked what would happen if they didn't increase the hours. Mr. Haddad said that it would put the department behind and always playing catch up.

Mr. Haddad said that he had received another request for the Tax Collector/Treasurer to look at the Payroll Coordinator/Assistant to the Treasurer position. He said that they found that this position was also reclassified incorrectly and should be a grade 7 and was requesting an additional \$3,654. Mr. Green asked if this was annual. Mr. Haddad said that it would be budgeted for annually but that this request would be retroactive to July 1.

Mr. Haddad said that he was also requesting an increase in hours for the Desktop Specialist position from 35 to 40. He said that as part of the exit interview done with Jason Bulger it was suggested that this increase be requested and that the grading be looked at. He said that he and the HR Director had also looked at the grading of this position and it should be a grade 6. The total request was for \$9,898.

Mr. Haddad said that the new Fire Chief in reviewing his budget had determined that the training budget was insufficient for what he was looking to do. He said that the Chief would like to provide professional development, leadership training, ethics training, etc. for the officers within the department. He was requesting \$13K. Ms. Eliot asked what the current budget was. Mr. Haddad said \$2K and it would be to bring in professional trainers for both permanent and call officers. Mr. Haddad added that it would be something that remained in the budget adding that in the future it would be used for strategic planning. Ms. Eliot asked if Chief McCurdy could come into their next meeting to discuss this further. Mr. Haddad said that the Chief wanted to be there that night adding he had a call he needed to be at. He said he would reach out to the Chief and ask him to come to the next meeting.

Mr. Haddad said that another request was for a new dispatcher. He said that this request had been cut in the spring to fund the schools and was something that was still needed. He said the request was for \$44K. Mr. Degen asked if the benefits were included. Mr. Haddad said that there was room in their budget adding that benefits would be an additional \$4-16K depending on type of plan. Mr. Petropoulos asked how many calls were being turned over to other communities. He added that measures were being taken nationally to reduce call volume and asked what we were doing here. Mr. Haddad asked how they could stop people from calling 911/dispatch. Mr. Green said that he wanted to understand the call volume more specifically emergency calls from non-emergency calls.

Mr. Haddad said that the total of the above requests was \$81K.

Ms. Haddad said that article 3 was to place funds in the Capital Stabilization Fund and was recommending that \$400K be added. Mr. Degen asked what number would bring them to \$400K. Mr. Haddad said \$335. Mr. Degen said that it didn't make much sense to exceed the DOR's recommended fund balance adding that it was not helping the taxpayers. Mr. Petropoulos said that he understood why Mr. Haddad wanted a cushion in the fund but suggested that they adjust their target or meet the DOR's level instead and return the money to the taxpayers. Mr. Robertson asked what they would do the following year if they had "extra" free cash. Mr. Haddad said that he would put the money into a "rainy day fund" for things that may come up.

Mr. Haddad said that article 4 was to place money into the stabilization fund. He was recommending \$175K. Article 5 was an article to offset the tax rate. Mr. Haddad said that he was recommending an amount between \$100K and \$150K. Article 6 was to vote on the local option meals tax. Mr. Petropoulos said that he had spoken to a couple of businesses on Main Street who didn't speak against the tax. Mr. Pease said he had done the same and had the same reaction. Mr. Degen said that he had spoken to a couple who were against it adding that they would let the town meeting decide. Mr. Schulman said that if you ate out in any of the surrounding towns you were paying it anyway adding that it was only fair to pay the extra tax in Groton and have the money come back to the Town. Mr. Haddad said that it would be an extra 75 cents on a \$100 meals bill.

Article 7 was to modernize the police department's record keeping. Mr. Petropoulos asked if they had looked into storing the data elsewhere. Mr. Haddad said that the former IT Director had looked into this. Article 8 was to make repairs to the police station where the fire department had vacated. He was requesting \$60K to make the improvements. Mr. Schulman asked if they could use money from the fire station project. Mr. Haddad said that it

was a possibility adding that he wanted to wait until the spring just in case anything happened to the building within the first year that they needed to deal with.

Articles 9-11 had to do with the Prescott School. Mr. Haddad said that bids were due the previous Wednesday and no additional bidders came forward. Mr. Haddad asked if Mr. Degen and Ms. Eliot could work with him and the school committee to determine their needs and if Mr. Yanchenko might be able to accommodate them in the building should the building be sold to him. There was a discussion as to whether or not there was enough time to advertise a public hearing to consider placing the Prescott School in the B-1 district instead of the Overlay District as they had voted 4-1 in favor of 2 weeks prior. Mr. Haddad said that since Mr. Yanchenko needed the zoning change for his financing and holding a hearing the Thursday prior to Town Meeting was too tight of a time frame, it was suggested that they go ahead with the Overlay District change, take the next several months and possibly rezone it at the spring town meeting. Mr. Haddad said that articles 12-13 had to do with the sale or lease of the Tarbell School. He said that he had received one proposal from Brooks Lyman who had no specific used planned for at that time. He offered to purchase the building for \$30K. Mr. Degen asked for Mr. Lyman to be invited in to discuss this with the Board at their next meeting.

Article 14 was the Lost Lake Watershed Advisory Committee's article. Article 15 was the Conservation Commission's placeholder to purchase land. Article 16 was a CPC article for the Sargisson Beach Committee to receive \$75K in funding to start phase 2 of the restoration project. Mr. Haddad said that the CPC was unanimous in their support of the article. Article 17 and 18 were sewer articles, one of which may be pulled from the warrant. Article 19 was the dog bylaw and specifically dealt with cleaning up some of the language. Article 20 was for a solar array project on Cow Pond Brook Road at the landfill site. GELD was in the process of reviewing the RFP's. This project would generate power and revenue for the Town. Mr. Haddad said that Articles 21-23 were the Planning Boards zoning changes. Article 24-25 dealt with fixes to the right of way on West Main Street in front of Nashoba Paddler and Groton Nursery. Article 26 was a citizens' petition. Mr. Harker said that the purpose of the petition was to continue on work that Town Meeting Study Committee had done. He said that he took it upon himself to continue the process of researching electronic voting adding that he would like to see this committee formed and report back to the spring town meeting.

Mr. Degen asked the Board what their feelings were on opening up the warrant to add mosquito control. He said that it was a \$70K commitment over the next 3 years adding that if not voted on this fall, they would have to wait until the spring and the program would not begin until spring of 2016. Mr. Haddad said that his only concern was not knowing what the schools were looking for and not knowing what the FY16 budget looked like yet. He said there were a lot of unknowns at this time. Mr. Schulman said that he too was concerned about the schools. Mr. Degen pointed out that EEE and WNV appeared to be less of a problem this year adding that it only took one bad year to change things. Mr. Petropoulos was neither for nor against bringing it forward. Ms. Eliot said they should wait until the spring. Mr. Schulman said he was against it adding they should place it on the warrant and let the voters decide. Mr. Degen said that they should continue the public hearing until the next Board meeting.

Mr. Schulman moved to continue the public hearing until Monday, Sept. 22nd at 7:30pm. Mr. Petropoulos seconded the motion. The motion carried unanimously.

Mr. Schulman moved to adjourn. The motion carried unanimously.

Approved: _____

Stuart Schulman, Clerk

respectfully submitted,
Dawn Dunbar, Executive Assistant

Date Approved: 11/10/14