

**BOARD OF SELECTMEN MEETING
MINUTES DECEMBER 1, 2014
APPROVED**

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

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

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

Mr. Haddad said that during setting of the Goals and Objectives, the Board said they wanted to hold a workshop on the relationship between the Town Manager and the Board of Selectmen and how the two work as a body. Mr. Haddad said that he had been the Town Manager for 6 six years and thought that they had a great working relationship.

Mr. Degen said that section 3.2 of the Charter dealt with the Board. Mr. Haddad said that the important thing in this section was that the Board of Selectmen was the chief policy setting Board adding that it was his job to carry out the policies. Mr. Haddad said that he had heard there were some that were referring to him as the 6th selectmen, and that he was usurping authority but added that it was his job to work for the Board and provide them with recommendations. Mr. Haddad said that the appointing process was very good and the budget process works well. He said that he started working on the budget that day with his Finance Team adding that the Board of Selectmen were active participants. Mr. Haddad said that his duties were outlined under the Charter adding that there seemed to be a lot of confusion out there.

Mr. Cunningham said that having a Town Manager to carry out the day to day operations was the premise for bringing forward a Charter. He said the Board is in more of a policy setting role. Ms. Eliot said that in order for their policies to be implemented, they needed someone on the ground to administer them. She said that there were a lot of misconceptions out there and thought that the Charter was valuable and made Groton a better place to live. Mr. Schulman said that "we as a town have done well over the past 6 years." Mr. Degen agreed that when the Charter was adopted, day to day operations were seeded over to the Town Manager. He said that there was a time when the Board of Selectmen oversaw things adding it was difficult for them to be able to administer those tasks as volunteers. He said they were well served by this form of government. Mr. Bud Robertson said that a business cannot be run with a Board of five people adding that you had to have a Town Manager there to be successful.

Mr. Schulman questioned why they were doing this adding that it should be part of the Charter review process. Mr. Haddad said that he thought it was important to have a discussion about the roles of the Town Manager and the Board of Selectmen. He said that in the six years he had been Town Manager, this had never been done. Mr. Haddad said that he heard rumors that he was running amuck and thought it would be beneficial for residents to understand what the roles of the Town Manager and Board of Selectmen were.

Mr. Haddad said that he had been operating under the charter for the past 6 years. He said that he worked with excellent department heads and volunteers. He said that under Section 4.2 – Powers and Duties of the Town Manager stated that he was responsible to the Board. He said that he wasn't a member did not vote adding that it was his responsibility to carry out the policies of the Board and administer town affairs. He said that he was not responsible for the library but did however propose their budget to the Board and Finance Committee. He said that he was also not responsible for the light department adding that because it was not under the control of the Board, it was not his responsibility.

Mr. Haddad said that Section 4.2(c) stated that the Town Manager appointed town employees and certain committee members. He said that he made appointments but the Board must affirm them. He said that it was a very important checks and balances on his appointing power. Mr. Haddad said that removal was the authority of the Town

Manager. He said that in the six year he had been Town Manager, he had brought every termination to the Board privately to make them aware. Mr. Schulman said that he could affirm that.

Mr. Haddad said that Section 4.2(d) was demonstrated this summer with the hiring process for a new Fire Chief. Section 4.2(e) dealt with collective bargaining. He said that even though he was responsible for the negotiations, the contracts were subject to ratification by the Board. He said that Town Meeting had the ultimate final say in its ratification of the operating budget adding that this was evidence of another layer of checks and balances. Mr. Degen said that they meet in Executive Session to discuss collective bargaining. He said that the five contracts they ratified the week before went off without a hitch.

Mr. Haddad said that Section 4.2(g) stated he was limited when hiring employees to what the budget and wage and classification schedule allowed. Section 4.2(h) says that he needs to attend all regular and special meetings of the Board unless excused at his request. He said that he was present at those meetings all the time. Section 4.2(i) said that he had a voice at Town Meetings but he didn't have a vote. He could make recommendations but not vote adding the decision was that of the residents.

Mr. Haddad said that he had always tried to post Selectmen's meeting agendas on Wednesday's to give enough time for the public to review. He said that meetings were live on the local cable channel and covered by the press. He said that the Board was aware of everything that he did. Ms. Eliot said that they were always fully aware of what was listed in Mr. Haddad's Town Manager's report.

Section 4.2(f) said that annual performance reviews would be done on all employees. Mr. Haddad said that he reviewed all his department heads and the department heads reviewed their employees. Mr. Petropoulos said that it was his understanding that the Fire Chief being a strong chief didn't report to the Town Manager. Mr. Haddad said that was incorrect that the Chief did report to him and added that the Town Manager doesn't appointment within the fire department; the Chief makes his own appointments. He said that with the Strong Police Chief, the Town Manager makes the appointments not the Chief. Ms. Eliot said that this was under state statute not the Charter.

Mr. Haddad said that 4.2(j) stated that if (for example) the Board directed him to contact the Police Chief to carry out radar on a certain street, he could do that. Section 4.2(k) said that the Town Manager needed to put together a first draft of the budget adding that it was his responsibility to make it balanced and submit it to the Board of Selectmen by December 31st. He said that they go through a very detailed process to get to that point. He said that the Town Manager and/or the Board of Selectmen could make comments to the Town Meeting on budget matters adding that Town Meeting had the final say. He said that there were a lot of checks and balances under the Charter and with everything he did.

ANNOUNCEMENTS

Mr. Degen reminded residents that the Groton tree lighting ceremony would be held at 4pm on Sunday 12/7. He said that Betsy Sawyer a GD middle school teacher was the honorary tree lighter for her involvement in the Big Book.

TOWN MANAGER'S REPORT

Mr. Haddad said that at their meeting the following week he wanted to bring forward for consideration the Municipal Building Committee for Prescott School. He said that he had only received one application so far and asked the press to put something out there. Mr. Degen suggested that they delay the deadline for a little while longer allowing people more time to apply.

Mr. Haddad said that he was also going to bring back the policy titled "Abide by the Votes of the Board." He said that he received Town Counsel's comments on Friday morning. He said that he was just bringing it to them that night for their review and would place it on a subsequent agenda.

Mr. Haddad said that he started the budget preparation that day adding that he and the Finance Team had great meetings with department heads. He said that they had a tough task ahead of them and would be working really hard over the next couple of weeks. Mr. Petropoulos asked what direction the department heads were given. Mr. Haddad said that the budget outline asked them to provide ways for improving services. Mr. Cunningham said that it was an opportunity for department heads to flag areas of concern. Ms. Eliot said that it was a way for them to state their priorities also adding that they then get to talk about it.

Mr. Haddad said that a story in the Groton Herald caught him by surprise. He said that a memo that was given to him as a heads up from the Tax Collector/Treasurer was provided to Board members as also a heads up. He said that that memo obtained preliminary information and was not final. He said that it was a disservice to residents to be given preliminary information. Mr. Hartnett said that he was the rep for the Town to Middlesex County Retirement. He said that the subcommittee he was on often received information a couple of weeks in advance and in this case he felt as though he should report to the Town Manager. He said that he was currently working on obtaining some answers to questions that had been asked about the information contained in the memo but added that the memo was clear in that he didn't have a lot of back-up information yet. He said that he was surprised to see that article and was disappointed that the information had gotten out there. Mr. Degen said that he also just found out and thought proper reporting would have been to go to the source.

Mr. Schulman moved to adjourn at 8:15pm. Mr. Cunningham seconded the motion. The motion carried unanimously.

Approved: _____

Stuart Schulman, Clerk

respectfully *submitted*,
Dawn Dunbar, Executive Assistant

Date Approved: 12/22/14