

**BOARD OF SELECTMEN MEETING
MINUTES MARCH 16, 2015
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; Attorney Brain Maser, Kopelman & Paige

Mr. Degen called the meeting to order at 7:30pm.

Mr. Degen stated that later in the meeting there would be an executive session of which he was the subject. He stated that at that time he would waive his rights to an executive session and they would deal with the matter in public session.

Mr. Haddad read into record the public hearing notice for the joint public hearing with the Finance Committee.

Mr. Cunningham moved to open the public hearing for the warrant. Mr. Schulman seconded the motion. The motion carried unanimously.

Mr. Gary Green, Chair of the Finance Committee called the meeting of the Finance Committee to order at 7:30pm. The motion carried unanimously.

Mr. Haddad said that the 1st page of the warrant included all elected positions open. He said that the annual election was scheduled for May 19th and that the polls would be open from 7am-8pm that day.

Mr. Haddad said that Article 1 was to hear reports of Town Offices and Committees. He said that he was anticipating that they would hear reports from the Tennessee Gas Pipeline Working Group, the Electronic Voting Study Committee and the Municipal Building Committee for Prescott School.

Mr. Haddad said that Article 2 was to vote on elected officials' compensation. The Board was 4-0-1 in support of the article with Mr. Cunningham, Mr. Schulman, Ms. Eliot and Mr. Degen in support and Mr. Petropoulos abstaining.

Mr. Degen asked if the Finance Committee had taken positions. Mr. Green said they had not and would be meeting after the public hearing to discuss the articles and take positions. Mr. Degen suggested that the Board rescind their position on all money articles until the Finance Committee had taken a position. Mr. Cunningham said that he was comfortable with his position as it was the same as it had been in years past. Mr. Schulman said that he did not have an objection to voting on money articles. Mr. Schulman and Mr. Cunningham supported this article. Mr. Degen, Ms. Eliot and Mr. Petropoulos deferred until the Finance Committee had taken their position.

Mr. Haddad said that Article 4 was the Citizens' Petition on the Town Manager's contract renewal. Mr. Schulman said that he was a strong no on the article. Mr. Degen said that a private citizen had put this on the warrant and was not willing to read it into the record. Mr. Flynn was not present to discuss his article. Mr. Petropoulos said that the citizens were looking to them for their thoughts. Mr. Schulman said he was opposed to the article. Mr. Cunningham said he was opposed to it adding that he was concerned about the precedent moving forward. He said that if they were looking to hire a new Town Manager in the future, this would hurt future candidates from coming forward. He said it didn't sound like good public policy. Mr. Petropoulos

deferred to town meeting. Ms. Eliot said that she didn't have an opinion at that point. She said that one person who had signed the petition had asked to his/her name withdrawn. She said that individual expressed concern over the interpretation of the article. Mr. Degen said that he was sticking by his position in the newspaper adding he was in favor of this article.

Mr. Haddad said that Article 5 had to do with OPEB funds. He said that this article would allow them to be in compliance with GASB 45 and in a strong position with future funding adding it had also been recommended by the auditor. Mr. Degen said that they had been paying pension liability for many years. He said that Detroit could not do that and the reason the federal government had to come out with guidelines. Mr. Degen said that he saw no need to have to put away \$200K. He said that just because money could be deposited into the fund and pension paid out of it this year, it didn't mean that that would be the case every year. He said that this was an unfunded mandate and he was completely against it. Mr. Cunningham said that he supported this Article and thought it was a good strategy to get them moving. He said it was something they needed to do. Mr. Petropoulos said that he too was supportive of this. Ms. Eliot said that she thought it was an obligation they needed to do and was in support of the Article. Mr. Schulman said that he also was in favor of this adding that there were obligations that needed to be met. The Board was 4-1 in favor (Degen opposed) of Article 5.

Mr. Haddad said that Article 6 was to appropriate the FY16 contribution of \$200K into the OPEB Trust. The Board was 3-1-1 in favor of Article 6 with Ms. Eliot deferring until the Finance Committee had taken a position and Mr. Degen opposed.

Mr. Haddad said that Article 7 was to create an enterprise fund for Local Cable Access. He said that Verizon and Charter money funded their budget which would be self-sufficient. He said that the Cable Committee was unanimous in support of this. The Board voted to unanimously support Article 7.

Mr. Haddad said that Article 8 was the FY16 Operating Budget. He said that 2 new initiatives in this budget were the school resource officer and the opening of Sargisson Beach with lifeguards. He said the budget contained all 7 new union contracts, including 5 contracts with a 2% increase in FY16 and 2 contracts with an increase in hours to 40 hours per week. He said the total operating budget for FY16 was \$36,181,559 which placed them \$55K under the levy limit. Mr. Haddad said that every year they carried a snow and ice deficit. Mr. Haddad said that Mr. Delaney and his team had done a phenomenal job maintaining the roads this past winter. He said the original budget was \$340K and they were currently \$267K in excess spending through the warrant that night. He estimated they would be closer to \$300K in deficit when the winter was completely over. Mr. Haddad said that the Assessors' had \$175K in overlay surplus from previous years. He said that he would like to use some of that money to bring down the snow and ice deficit. Ms. Swezey said that the Board of Assessors' had voted unanimously to release \$175K from overlay surplus. Mr. Green asked if Mr. Haddad knew what spent on snow and ice the previous year. Mr. Haddad said that they deficit spent \$200K last year; deficit spent \$100K two years ago and turned back money three years ago. Mr. Green asked if there was a way to budget adequately. Mr. Haddad said that they gamble with it every year. He said they didn't want to put higher numbers in the budget as it would increase it by that much every year. Mr. Haddad said that under the Charter he is required to submit a balanced budget. He added that the Board should wait to take positions on the budget until the Finance Committee had.

Mr. Haddad said that Article 9 was the FY16 Capital Budget. He said that the first item was requesting \$105K for a swap loader. Chief McCurdy said that the swap loader would allow them to have different modules that could be swapped out. He said they would be able to share with the police department and DPW. Mr. Petropoulos asked if there were events in the past where they could have used this. Mr. Cunningham said they could have used it at the Rocky Hill brush fire and added that they didn't convert the ambulance into the brush

truck. Chief McCurdy said it would be a helpful vehicle for them. Ms. Eliot asked if they could dispense of any vehicles. Chief McCurdy said that they could a couple of years down the road when they have all the modules. Mr. Haddad said that this would replace the need to convert the old ambulance into a brush truck. He said they would be using the \$50K set aside last year to put towards the swap loader. He applauded the departments for working together.

Mr. Degen said that he owned a swap loader for over 10 years. He said that this was the most versatile way you could equip a truck. He said that he expected appropriations in the future for other modules adding he was in support of this. The Board was 3-0-2 in support of this with Ms. Eliot and Mr. Petropoulos deferring to town meeting.

Mr. Haddad said that item #2 was to replace the Fire Chief's vehicle. He said that the intent was to trade in the old vehicle. Mr. Pease asked if trading it in would drop the price. Chief McCurdy said that the trade in amount would be pretty low. The Board was unanimous in its support of this.

Mr. Haddad said that item #3 was to request funding for a dump truck for the Highway Department. Mr. Haddad said that this was a scheduled replacement adding that they would be trading in a truck for this one. The Board was unanimous in its support of this.

Mr. Haddad said item #4 was to request money for IT infrastructure. He said that this was a standard article that they do every year. The Board was unanimous in its support of this.

Mr. Haddad said that item #5 was to request money to upgrade the HVAC system in the Town Hall. Mr. Haddad said that this had been in the capital plan for 5 years and was going to cost around \$90K. Mr. Delaney said that this would upgrade the unit in the garage from relays and switches to a computer run system like in the new fire station. The Board was unanimous in its support of this article.

Mr. Haddad said that item #6 was to request money for building security. He said that this was part of a 3 year plan to upgrade the security at town buildings. He said that panic buttons had already been given to all departments and buildings. Mr. Haddad said that they were also successful last year in obtaining a grant for an additional \$30K. Chief Palma said that the next step in the plan would be to upgrade the police station and dispatch with cameras and door locks which would replace a system that was 20 years old. Mr. Petropoulos asked if the Chief was 1/3 of the way through the upgrade. Chief Palma said yes adding that he was trying to get the best program and price. The Board was unanimous in its support of this.

Mr. Haddad said that item #7 was requesting money for a bobcat/utility loader at the transfer station. Mr. Delaney said that this was a scheduled replacement. Mr. Degen asked if they were going to repurpose or trade in the old utility loader. Mr. Delaney said they were going to trade it in. The Board was unanimous in its support of this.

Mr. Haddad said that item #8 was to request money to replace the carpet at the Library. He said that this would be phased over 2 years and that the first request was for \$22,645. The Board was unanimous in its support of this.

Mr. Haddad said that items #9 & 10 were for park upgrades. Ms. Haberlin said that the first was for field improvements at Cow Pond Brook Fields. She said that wanted to install lighting to help make seasons longer and to also seed, fertilize and irrigate the fields. She said the other item was to make playground improvements to Cutler Field. She said they planned to move the playground equipment behind Prescott

School to Cutler Field. They also planned to make their playgrounds in compliance with CSPC standards. Mr. Schulman said that a couple of years ago there was discussion about too much lighting affecting the MIT area. Ms. Haberlin said that she had not heard anything adding that it was their intent to light the fields and parking lot for a couple of hours. The Board was unanimous in its support of this.

Mr. Haddad said that item #11 was a request to purchase 2 police cruisers. He said this was a replacement program. Mr. Degen asked if all the Crown Victoria's had been retired. Chief Palma said that the last of the Crown Victoria's will go this year. He said that one was beyond repair and didn't want to put money into it.

Mr. Haddad said that items #12-14 were Country Club leases. The Board was unanimous in its support of these.

Mr. Haddad said that Article 10 was for the Joint Radio Project. He said the current radio systems needed a major upgrade to address some of the dead areas in town. He said it had been proposed that this project be done over time but the safety of the employees was important. Mr. Haddad said he would like to request that the money be bonded and funded immediately. Mr. Haddad said that the Fire Chief was planning on applying for grants to help with the cost. Chief McCurdy said there were significant areas of concern around town. Mr. Degen asked how old the current system was. Chief McCurdy said it was hard to tell exactly but he estimated that parts of it range from 4-20 years old.

Mr. Cunningham said he supported this adding that the most significant dead area was at the high school. Mr. Petropoulos said he supported this but wanted to wait to hear from the Finance Committee. Ms. Eliot asked if the schools had been notified about this. Mr. Petropoulos said that this was not being used by the high school personnel. Chief Palma said that it was being used by town departments. Ms. Eliot deferred taking a position on this. Mr. Degen said he was in favor of this. Mr. Schulman also was in favor of this and added that it was best to do it all at once. The Board was 3-0-2 in favor of this.

Mr. Haddad said Article 11 was for fire protection at Lost Lake. He said that 2 years ago, \$103K had been provided to study the install of water mains. He said that they put this project out to bid and would be receiving bids on April 2nd. Mr. Haddad said that the estimated cost was \$1.5M to \$2.1M. Mr. Haddad asked the Board to hold off on this one until they received the bids.

Mr. Haddad said that Articles 12-14 had to do with the development of the Four Corners Sewer District, design and construction of the system and the Inter-municipal Agreement with Ayer. He said that the estimated cost was \$2.5M to \$3M which would be paid for by betterments. He said that they also had the opportunity to apply for a Mass Works Grant. Mr. Haddad said that he had had meeting(s) with the neighborhood landowners as well as the business owners. He said that this project was important in that it would hopefully spur economic development in that area. He said that he sent a memo out to the Board that day to explain that he would also like to designate the Four Corners area as an Economic Opportunity Area (EOA). An owner with a building/retail space within an EOA that has been vacant for more than 2 years would qualify for a 10% tax deduction through the State. He said that this would help with the sale/lease of buildings. He said that the Town would submit the application and state that the Town will allow TIF's which they had already discussed. Mr. Haddad said that he would like to ask the Board to consider adding an article that would designate this area as an EOA.

Mr. Cunningham said that Article 12 would establish the district. He asked if they knew the exact parameters of the district yet. Mr. Haddad said they did not. Mr. Cunningham said he wanted to wait until Town Meeting adding that he fully supported this project. Mr. Pease asked if tie in was mandatory. Mr. Orcutt said that it

was. Mr. Petropoulos asked what the cost was to set the area. Mr. Haddad said there was no additional cost. Mr. Petropoulos said he would defer for that day. Ms. Eliot said that she was in favor of the district was due to the change in information she would defer for now. Mr. Green asked what properties would be included in the district. Mr. Haddad said that Board of Selectmen would determine which properties were to be in the district and Town Meeting would vote on the map. Mr. Schulman said that he supported Article 12 but he was not sure about Article 13 and needed more info. Mr. Haddad suggested that the Board defer for now. Mr. Degen said that the area was underutilized and would like to see the area be given a chance to survive.

Mr. Haddad said that Article 15 was a request by the GDRSD to create a stabilization fund. Mr. Haddad said that the account would be a tool that will aid the district in saving for future capital expenses. He said that this is similar to what Nashoba Valley Technical High School did. Mr. Cunningham asked if this had been proposed in the past. Mr. Haddad said that it did and was taken off the warrant. The Board was unanimous in its support of this.

Mr. Haddad said that Article 16 was seeking permission to construct and maintain a new parking lot that was to be created behind Bank of America and Citizen's Bank. The Town would seek an easement from the banks to do this work. He said that the estimated cost was \$100K and would be funded by several funding mechanisms at Town Meeting. He said that one mechanism was money that was in a gift fund from the construction of Groton Residential Gardens. Article 17 was similar in that the Town would purchase the parking lot behind Town Hall and make improvements to it. This could be funded from the sale of the old Center Fire Station. He said there would be no tax impact if they used these two funds. Mr. Degen said that more downtown parking had long been talked about. He said that this was a great idea adding that there had been a lot of synergy from the banks. Mr. Haddad said that the banks would have designated parking spots during business hours. Mr. Petropoulos asked if studies had been done showing the need. He said that he spoke to a couple of local businesses who said they had no need for additional parking. Mr. Cunningham said that they recently received a complaint from a local business on Main Street stating that there was a need. He said he was supportive of this but would wait for Town Meeting. Ms. Eliot said that she was very much in favor of this adding that the Planning Board had come before them to demonstrate the need. Mr. Degen said that he agreed with Ms. Eliot. He said that he was very supportive of this. He said from a traffic perspective, less curb cuts and more spaces was a good thing. He said they lost spaces due to the curb cuts. He said he supported Article 16 but not 17 unless it was a fair purchase price. Mr. Schulman said that he supported Article 16 adding that the Groton Inn was coming and gave them an opportunity to be proactive. The Board was 3-1-1 in favor of supporting this with Mr. Petropoulos against it and Mr. Cunningham deferring to Town Meeting.

Mr. Haddad said that Article 17 was a proposal to purchase the parking lot behind Town Hall. He said the Town was currently leasing the lot adding that the extra parking was needed. He said with the new business going in where the old fire station was more parking was needed. Mr. Haddad said that depending on negotiations, it made sense to pursue this. Mr. Delaney said that they could get an additional 30 spaces out of it. Mr. Haddad asked that they defer to Town Meeting.

Mr. Haddad said that Article 18 through 21 dealt with current line item transfers, prior year bills and transfers within enterprise funds.

Mr. Haddad said that Article 22 was requesting money to purchase new voting machines. Mr. Bouchard said that the machines they had were approximately 20 years old. He said there was no immediate need for new ones but parts were becoming hard to find and replace. He said the estimated cost to purchase 3 machines as

\$20K. Mr. Cunningham asked if he was planning on putting one machine in each precinct. Mr. Bouchard said “yes.” The Board was unanimous in its support of this.

Mr. Haddad said that Article 23 was to appropriate funds for deficit balances in grants. He said that these were 911 dispatch equipment grants they received from the State. These grants are reimbursable and pertain to small amounts the Commonwealth had disallowed after vendors had been paid. The Board was unanimous in its support of this.

Mr. Haddad said that Article 24 was requesting to transfer approximately \$17K of funds remaining in the appropriation voted under Article 16 of the 2011 Fall Town Meeting. He said that Lost Lake Watershed Advisory Committee had replaced the Lost Lake Sewer Advisory Committee and in order for the new committee to utilize the funds, the money has to be repurposed. He said this would give them a total of \$32K. Mr. Prest said that they received 4 RFI’s which they are assessing and would help to have money available if needed. Mr. Cunningham was in support of this. Mr. Petropoulos was in support of this. Ms. Eliot asked what the money would be used for. Mr. Petropoulos said to find out what was causing the problem. Ms. Eliot said she needed more information. Mr. Degen said that he was in favor of this. Mr. Schulman said it would be great if they could find out what the problem is for \$32K.

Mr. Haddad said that Articles 25 and 26 were added by the Board last week. He asked the Board to defer until Town Meeting. He said that there is interest in Tarbell School and bids were due on April 16th.

Mr. Haddad said that Articles 27 and 28 were Community Preservation Articles. Mr. Haberlin introduced herself as the Vice Chair of the CPC adding that final applications were due in a week. She said that Proposal A was for an Accessible Trail Project brought forward by the Trails Committee. They were requesting \$25K. Proposal B was brought forward by the Conservation Commission. They are seeking \$200K to be placed in their fund for possible acquisitions. Ms. Haberlin said that Proposal C was brought forth by the First Parish Church seeking \$203K to rehab a portion of the Old Meeting House. Proposal D was brought forth by the Park Commission to repair the Town Basketball Courts. They are seeking \$98K. Ms. Haberlin said that Proposal E was brought forth by the Commission on Accessibility to conduct an ADA Complaint Park and Open Space Study. They had requested \$5,850. Proposal F was brought forth by the Town to request \$49K to fund the Housing Coordinator Salary for FY16 out of the Community Housing Reserve. Ms. Haberlin said that Proposal F was brought forth by the Historical Commission requesting \$25K for Phase II of the Milestone Engraving project they had been working on.

Mr. Schulman asked if there was enough money to cover all the projects if adopted. Ms. Haberlin said that the Housing bucket had \$325,075, the Historic bucket had \$59,166, the Open Space bucket had \$17,085 and the Unallocated bucket had \$120,120 in it. She added that there was enough money to cover all requests. Mr. Degen asked about the State match. Ms. Haberlin said that it was low; around 12-13%. Mr. Cunningham asked if the Committee had taken positions. Ms. Haberlin said no because they had not received final proposals yet.

Mr. Haddad said Articles 29 and 30 were zoning articles submitted by the Planning Board. Article 29 simplifies the Minor Site Plan Review process and Article 30 removes the requirement for a special permit from the ZBA for temporary facilities and replaces it with a by-right building permit with temporary construction and office trailers subject to Minor Site Plan Review.

Mr. Haddad said that Article 31 was a citizens’ petition to request that the Town rezone the premises located at 152-158 Boston Road from G-B to R-B.

Mr. Haddad said that Article 32 would authorize the Board of Selectmen to create “fair and concise” summaries of local ballot questions when such questions appear on Town ballots. He said right now they didn’t have the right to send out what a yes and what a no vote would do. He said Town Counsel would help draft the wording. Mr. Haddad said that it didn’t give you anything but guidance. The Board was unanimous in its support of this.

Mr. Haddad said that Articles 33-39 were under the Consent Agenda and would be voted on all at once. He said that the only difference from last year was that they would be adding a new recycling revolving fund to the consent agenda. Mr. Delaney said that he often obtains small mini grants from DEP and would like to put them into a revolving fund. Mr. Schulman suggested taking this one out of the consent agenda where it was a new request. Mr. Green said that it could be taken out at any point and voted on separately. Mr. Haddad said he would take it out of the consent agenda. The Board was unanimously in support of Article 33.

Mr. Schulman moved to reopen the warrant. Ms. Eliot seconded the motion. The motion carried unanimously.

Mr. Degen said that he would entertain a motion to add an article to the Spring Town Meeting warrant to see if the Town would vote to designate the Four Corners Area as an Economic Opportunity Area.

Ms. Eliot made the motion. Mr. Cunningham seconded the motion. The motion carried unanimously.

Mr. Haddad said that they also needed an article to use overlay surplus money for the snow and ice deficit.

Mr. Cunningham moved to add an article to that effect. Mr. Schulman seconded the motion. Mr. Degen added that it would be an amount to be determined. The motion carried unanimously.

Mr. Schulman moved to close the warrant. Mr. Cunningham seconded the motion. The motion carried unanimously.

Mr. Degen suggested that they leave the public hearing open until their next meeting where they could take positions not taken that night. Mr. Cunningham agreed adding that the Fin Com was meeting that night to take their positions.

Mr. Cunningham moved to continue the public hearing to March 30th at 7:30pm. Mr. Schulman seconded the motion. The motion carried unanimously.

OTHER BUSINESS

1. Email Response Policy: Mr. Degen and Ms. Eliot had minor corrections to the policy.

Mr. Cunningham moved to adopt the email response policy as amended that evening. Ms. Eliot seconded the motion. The motion carried unanimously.

2. Town Manager Annual Review Policy: *Mr. Cunningham moved to adopt the policy as amended. Mr. Schulman seconded the motion. The motion carried unanimously.*

The Board announced they would start the Town Manager’s review.

3. Mediator and Board Relations: Mr. Degen said that Jeff Nutting, Town Administrator in Franklin had been referred to the Board. He said that they had all been asked to provide sample questions and asked if it was appropriate for the Board to go ahead and hire Mr. Nutting. Mr. Schulman said that he reviewed the questions that everyone submitted. He suggested that they find a mediator who is well versed in conflict management. Mr. Cunningham said that it should be someone with a skillset to know how boards should work together as an elected board. Mr. Petropoulos said that they needed to figure out what their issue was and how they approach it. He said that he didn't like that someone was brought to them by a subset of parties. He suggested that they schedule a workshop. Ms. Eliot said that she has been trying to do this for a long time adding that doing something was important. Mr. Haddad said that if they didn't want to meet with Mr. Nutting they could hold April 11th open as they had already agreed to meet that day and make it their workshop instead. The Board decided to meet on Thursday, April 2nd at 5:30pm at Legion Hall.
4. Letter to Dave Melpignano: Mr. Petropoulos said that he put together a draft letter which was sent out to the Board. He said that Mr. Haddad had an issue with the sentence that mentioned how the video was procured. Mr. Petropoulos said that he wanted to make sure they focused on getting the letter out and not dilute it with arguments that weren't critical. Mr. Schulman was okay with the letter as corrected. Mr. Haddad said that they didn't violate Chapter 30B. Mr. Schulman suggested the word "pursued."

Mr. Petropoulos moved to accept the draft as amended using the word pursued adding that it be sent immediately to Mr. Melpignano. Mr. Schulman seconded the motion. The motion carried unanimously.

Mr. Petropoulos said that he appreciated that fact that this was an open public document but added that he wanted to the extent possible to let them make their apology and leave it at that.

LIAISON REPORTS

Mr. Cunningham said that he wanted to recognize the passing of Allen Friedrich a lifelong member of Groton.

Mr. Degen said that the Affordable Housing Trust received an update on Boynton Meadows. A 3 bedroom affordable unit was going for \$159K. Market rate units were selling for \$600K. Mr. Degen said that they were only about 40% completed and anticipated finishing a year from May.

MINUTES

Mr. Cunningham moved to approve the minutes of March 2, 2014. Mr. Schulman seconded the motion. The motion carried 3-0-2 with Degen and Petropoulos abstaining.

At 10:00pm, Mr. Degen said that he would be relinquishing his position as Chair for the next session and recused himself.

Mr. Cunningham moved to recess the meeting for 5 minutes. Mr. Petropoulos seconded the motion. The motion carried 3-0-1 in favor with Mr. Degen recusing himself.

Ms. Eliot reconvened the meeting at 10:05pm.

Ms. Eliot said that she had been contacted by Mr. Petropoulos about his concerns for Mr. Haddad's safety in the workplace. Mr. Maser said that there had been a verbal complaint to the Board about safety in the workplace.

He said Mr. Degen had been given notice the previous week. He said that Mr. Degen had waived his right to Executive Session and was provided the opportunity to have legal counsel. He said due to a scheduling conflict, Mr. Degen had asked for a continuation. Mr. Maser said that there was a perception of an unsafe work environment. Mr. Haddad said that he wanted to make it clear to the Board that he was not the one that filed a complaint about his safety. Ms. Eliot affirmed that it had come from Mr. Petropoulos. Mr. Petropoulos said that at the last meeting Mr. Haddad had raised a personal concern for his personal safety. He said that he went to the Vice Chair about those concerns. He said he hadn't heard from Ms. Eliot since. Ms. Eliot said she in turn sent an email to Town Counsel. Mr. Degen said that he waived his right to counsel and wanted to hear the complaint. Mr. Haddad said that he never filed a complaint. Mr. Petropoulos suggested they call it a concern for safety.

Mr. Schulman said that there was so much finger pointing going on that it was silly. Mr. Degen agreed adding that he was being called to task even though the Town Manager had not formally filed anything. He asked the Town Manager if he (Mr. Degen) had ever made a threat against him (Mr. Haddad). Mr. Haddad said that he had no comment adding that he didn't even know about this. Ms. Eliot said she thought they were scheduling this discussion for another night. Mr. Haddad asked if there was any need for it. He said there was no complaint raised by him. Mr. Maser said that he wasn't present at the last meeting but understood there was an officer present and a comment had been made about ones' personal safety. He said that it would be appropriate if there was a potential liability for the Board to meet in Executive Session.

Mr. Schulman moved to adjourn this portion of the meeting. Mr. Cunningham seconded the motion.

Mr. Degen said that if there was no formal complaint made and no allegations, he had been called to task by an Executive Session. He said he wanted to hear from the Board and for them to take a finding. Mr. Petropoulos said that Mr. Degen needed to be exonerated adding it couldn't just be dropped. Mr. Schulman said that everyone at that table had had aspersions cast over them the last couple of weeks. Mr. Schulman exonerated Mr. Degen from whatever he had done to cause concern. Mr. Haddad said that he didn't say anything about Mr. Degen last week adding he didn't want words put in his mouth. He said that Mr. Haddad said the officer was present for his personal safety. Mr. Petropoulos said that he had reached out to Ms. Eliot and asked if they should discuss this at a future meeting. Mr. Schulman renewed his statement.

The motion made by Schulman and seconded by Cunningham was 4-0-1 in favor with Degen abstaining.

Mr. Degen moved to reopen Open Session. Mr. Cunningham seconded the motion. The motion carried unanimously.

Mr. Degen moved to enter into Executive Session at 10:28pm and not return to Open Session adding that a member of the public had been invited in. Mr. Petropoulos seconded the motion. Roll Call: Cunningham-aye; Petropoulos-aye; Eliot-aye; Schulman-aye; Degen-aye

Approved: _____

Stuart Schulman, Clerk

respectfully submitted,
Dawn Dunbar, Executive Assistant

Date Approved: 6/9/15