

**BOARD OF SELECTMEN MEETING
MINUTES APRIL 27, 2015
MIDDLE SCHOOL CAFETERIA
APPROVED**

Present: Joshua 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; Members of the Finance Committee – Gary Green, David Manugian, Mark Bacon, Barry Pease, Robert Hargraves, Bud Robertson, Art Prest; Patricia Dufresne, Town Accountant

Mr. Degen called the meeting to order at 6:00pm.

TOWN MANAGER'S REPORT

1. Mr. Haddad said that the Board needed to take formal positions on Articles 12-14. He reiterated that the way the Article was written was that no money would be spent on construction unless they were in receipt of a Mass Works grant. He said it was not a reimbursable grant so they would have the construction money in the fall if approved. Mr. Haddad said that he had spoken to Mr. Catalano who liked what he was hearing but wanted more information before he thought about supporting it. He said that there was concern over the connection fees. Ms. Eliot said that she spoke to Sal Perling, the CEO of Nashoba Valley Medical Center. He told her that the Nashoba family doctors need more space. She said they had spent money on plans to move to one of the vacant Shaw's buildings but need sewer to do so. She said that Mr. Perling told her they may in fact have to move to Littleton. She said they were losing money by businesses moving out. Mr. Cunningham asked if they knew what the connection fees were. Mr. Haddad said that the Sewer Commission would have to meet to discuss it. He didn't know what the budget would be. Mr. Degen asked if Article 12 included Craven's and Ixtappa. Ms. Eliot said that it did because of how they applied to the State for the Inter Basin Transfer. She wanted to remain consistent. Ms. Eliot said that the more properties included the less it would cost. Mr. Schulman said that with Craven's saying no to be included he asked what their cost would be. Mr. Haddad said nothing unless they assess betterments to them. Mr. Degen said that with only one buy-in, he suggested indefinitely postponing. He said he would vote no on 12 thru 14 but yes on 15. Mr. Schulman asked what the downside was to postponing. Mr. Haddad said a one year delay. Ms. Eliot said that Shaw's has had viable tenants who they have not responded to like they have not responded to the Town. She said they needed to consider what was best for the Town and not hang onto an opinion by someone who doesn't vote. Ms. Eliot said that Mr. Wong had an approved plan for 17,000sqft. She said there is rumor he might bring a smaller plan in for approval but might be waiting on this vote before he does anything. She said that should take the risk. Mr. Haddad said that even if they delay this for one year, they should still take a vote on the engineering as the cost could be higher next year. Mr. Schulman said they could be waiting for Shaw's next year. Mr. Haddad said that the Mass Works grant was a risk from year to year depending on if the Governor funds it or not.

Mr. Brooks Lyman asked if the engineering plan if done now expired. Mr. Degen said that once it was done it was done. Mr. Schulman said that he felt as though this needed to take a little bit more adding he would be reluctant to vote in favor of it.

2. Mr. Haddad said that Mr. Cunningham and Mr. Schulman were against Article 30, the Conservation Commission's request and Ms. Eliot, Mr. Degen and Mr. Petropoulos were deferred to Town Meeting. Mr. Degen said that the Conservation Commission would like to have between \$750K and \$1M in their fund. He said that they had just north of \$500K. He said that he had been happy with many of their purchases and reluctantly would support this request of \$200K. Ms. Eliot was in support of this. Mr. Cunningham said that he would support \$100K but was opposed to \$200K. Mr. Peter Morrison asked if \$100K would get them above 2% of the budget. Mr. Takashi Tada said they would need \$140K to get to 2%. Mr. Degen said that anything less would be in violation of their policy.

Mr. Petropoulos arrived at 6:24pm.

Mr. Morrison said that they had backed off before because of lack of funding but now was the time and thought it should be funded. Mr. Degen asked what was left in unallocated if everything was granted. Mr. Petropoulos said he was good funding the request but added he would like to see a plan moving forward. Mr. Tada said that they do have plans based on priorities that meet their criteria. The Board was 3-2 in favor of \$200K and 5-0 in favor of \$140K. Mr. Haddad said that there would be \$105,783 left in unallocated if everything was funded.

3. Lost Lake Fire Protection – Mr. Petropoulos apologized that no one had received his presentation outlining his concerns with this project. Mr. Petropoulos said that he was concerned with the cost, the process that was used and the precedent that it was setting. He said that with 191 homes proposed to be impacted by this at an average cost per home of \$13K he was concerned about the average cost per home. He said that you would have to install public drinking water to get to the hydrants but were not supplying drinking water to the residents. Mr. Petropoulos said he was concerned this was a drinking water project hidden behind fire protection. He said there were no approved betterments and thought it was unfair to the other rate payers. He said that it set a precedent and had a hard time charging betterments. He said that this came about because of the Boathouse Road fire and costs benefits had not been provided for a \$2M project.

Mr. Petropoulos said that he thought the homes covered were understated adding that inhabitable homes were on the list. He said that in one area a cistern and dry hydrant were 100ft apart and would be charged twice. He said there were a number of homes on Redskin that were covered but not listed correctly. He added that he was told a cistern could not be located but in taking a drive by he was able to locate it. He said that he estimated the number of homes went from 191 to 140 which meant that the average cost would be more like \$15K. He said that he wanted to present this to the Board prior to Town Meeting and suggested that they withdraw this article and say it was a drinking water infrastructure. Mr. Petropoulos added that he made this presentation to a group of residents yesterday. Mr. Cunningham said they couldn't withdraw now adding that there was no counterpart at that meeting yesterday. He said the process they went through was a solid process and had even convened groups to look into this. He said it would be a disservice to all the work done to pull this article now. Ms. Eliot said she was concerned that Mr. Petropoulos was bringing this forward now. She said that these were numbers no one had seen yet and thought it was very disingenuous to bring it up now. She said that years of work had been done on this study and said it was not precedent setting way of informing the public at 25 minutes till Town Meeting. Mr. Petropoulos said that this was not the first time \$15K/hydrant had been mentioned adding that he had been asking these questions for a long time and had not been provided with answers or responded to. Mr. Orcutt said that he had responded to every email he had received from Mr. Petropoulos adding that that statement was totally untrue. He said that Mr. Petropoulos had asked numerous questions and requested that he stop saying that he had not received responses. Mr. Haddad said that he asked for this presentation on Friday and hadn't received it either. Ms. Swezey said that she had an issue with the number of houses adding that this would protect over 400 homes. Mr. Val Prest agreed with Ms. Swezey. Mr. Petropoulos said that he ran all the numbers and measured from 1,000ft away from all hydrants. He said that it was stated there were 10 homes on Weymissit but there were not even 10 homes on that street.

Mr. Degen said that he had an issue with it adding that it would not be appropriate without betterments. Mr. Orcutt said that in the 25 years he had worked for the Town they had never charged betterments for this only connection fees. Mr. Delaney said that he had been waiting to pave Lost Lake Drive but could not wait any longer he said that if this gets pulled he has no choice but to pave it which would mean the road would be locked for five years.

Mr. Erich Garger said that he lived on Redskin Trail and had a fire at his home where he almost lost his whole house. He said that he got lucky there was someone at the Lost Lake Station but that the department had to run hose 2,000ft. He said they have such a huge problem down there and need more protection. Mr. Alex Woodle said that in 2004 live wires ignited off Weymissit in which they had to call in three other towns. He said the fire approached five homes and they only had three pumper

trucks. He said that in 2008 his neighbor's house burnt down. He said that the firemen didn't have the infrastructure to fight fires and thought this was good for the community. Chief McCurdy said that it was very difficult to use pumper trucks in those neighborhoods. Mr. Prest said that they were not getting the protection they needed. He said that he and Ms. Swezey had measured the depths around the lake adding that the lake was loaded with mud. He said that they needed a 3ft clearance above the mud or it would pull the mud. He said that 7ft was needed in total. He said that they found only one place where it was deep enough to achieve this. Mr. Petropoulos said that that was off Island Road adding that there were not ten homes on Island Road as stated. Ms. Swezey said that there were adding she used to live there. Mr. Degen said that Mr. Petropoulos could present this adding he wished he could be sure it was accurate.

4. Mr. Haddad asked the Board to renew annual fuel storage permits for Deluxe Corporation, Groton School, Global Montello Group, AL Prime, Groton-Dunstable Regional School District and Groton Exchange all with expiration dates of April 30, 2016.

Mr. Schulman made a motion to renew the fuel storage permits as read. Ms. Eliot seconded the motion. The motion carried unanimously.

The meeting adjourned at 6:48pm.

Approved: _____

Stuart Schulman, Clerk

respectfully *submitted*,

Dawn Dunbar, Executive Assistant

Date Approved: 6/9/15