

**BOARD OF SELECTMEN MEETING
MINUTES JULY 6, 2015
APPROVED**

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

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

Mr. Petropoulos called the meeting to order at 5:30pm.

Mr. Haddad said that he had one addition to his Town Manager's Report and that was to update the Board on Annual Committee Reports.

PUBLIC COMMENT PERIOD

Ms. Judy Anderson said she would like to thank the Groton Herald for publishing a big article on Sargisson Beach and for letting people know it's free.

Mr. Haddad said that the office received a complaint about the beach that day because it was free to the public it opened it up to non-Groton residents. Mr. Degen said that he was happy about that concern. Mr. Haddad agreed. Ms. Eliot said that that was what public beaches were for. Mr. Degen asked if the Sargisson Beach could be asked to take it up at their next meeting if it became an issue. Mr. Haddad said that the concern was forwarded to Andrew Davis that day and he responded as Chair. Mr. Haddad said that it was great to see the beach utilized.

TOWN MANAGER'S REPORT

1. Mr. Haddad said that at their last meeting, he along with the HR Director had proposed that they consolidate the Town's Sexual Harassment Policy and Discrimination Policy into one policy. He said that the Board requested that they have Town Counsel and the Personnel Board review and comment on this policy. He said that he and Melisa Doig met with the Personnel Board to review the Policy and they would like another week to further review the policy. He said that the Chair met with Ms. Doig that day and hoped to have the policy back to the Board on July 20th. Mr. Robertson said that the changes were minor, really user friendly flow changes. He said that he had a great meeting with Ms. Doig who was going to bring the proposed changes to Mr. Haddad.
2. Mr. Haddad said that he had made the following appointments and asked the Board to consider ratifying them:
 - Melynda Kellett – Country Club Counselor
 - Cara Fishetti – Country Club Lifeguard
 - Claudia Yao – Country Club Lifeguard
 - Jared Magno – Country Club Lifeguard
 - Nicholas Hommel – Assistant Camp Counselor

Mr. Degen moved to ratify the appointments of the Town Manager as read. Ms. Eliot seconded the motion. Mr. Cunningham asked if they were seasonal employees. Mr. Haddad said that yes, they were. The motion carried unanimously.

3. Mr. Haddad said that the Charter Review Committee requested that they be appointed as Special Municipal Employees pursuant to Massachusetts General Laws, Chapter 268A, §17. He said that Bob Collins has a conflict of interest with being a member of the Charter Review Committee and representing clients before Town Boards. He said that naming the Committee as Special Municipal Employees will allow him to serve on the Committee while continuing his representation before Town Boards. Mr. Haddad asked the Board to consider approving this designation.

Mr. Cunningham moved to appoint the members of the Charter Review Committee as Special Municipal Employees pursuant to MGL, Chapter 268A, §17. Ms. Eliot seconded the motion. The motion carried unanimously.

4. Mr. Haddad said that the Boys Scouts had requested changes to the Avenue of Flags Display Policy. He said that they would like greater flexibility on displaying the flags on various holidays. He said that these changes would allow them to put flags up for longer periods, weather dependent which allowed more flexibility in obtaining volunteers to do it. Mr. Haddad said that he made the proposed changes and asked the Board to consider adopting the revised policy.

Mr. Cunningham moved to adopt the Avenue of Flags Display Policy as amended effective July 6, 2015. Ms. Eliot seconded the motion. The motion carried unanimously.

5. Mr. Haddad said that as requested, they sent out letters to all the businesses on Main Street asking for their feedback on the proposal to enforce one hour parking on Main Street. He said that they sent out over 20 letters and received five responses. He said that four businesses were against the idea while the Natural Market reiterated their support. He said that the five people that did respond wrote very thoughtful responses and thanked them for that. Mr. Haddad said that based on that, he needed direction from Board on whether they wanted to invite the businesses in for further discussion or abandon the proposal. Mr. Degen said he thought they should abandon the proposal. Mr. Cunningham agreed adding that based on the feedback received; there was not need to move forward with the proposal at this time. He said that the parking lots to be constructed off Main Street should help to address these issues. Ms. Eliot suggested that the office respond to the business that had concerns that at this time no further steps were warranted. Mr. Haddad asked Mr. Petropoulos if he wanted him to draft a letter for him to review. Mr. Petropoulos said he would and thanked Mr. Haddad and Ms. Dunbar for reaching out to the businesses.

Mr. Haddad said that on a related topic he, Ms. Collette, Mr. Delaney and Ms. Dunbar had met with Bank of America and Citizens Bank that day to discuss the parking lot behind the banks. He said that it was a great meeting and that the banks showed enthusiasm in moving forward. He said that he asked the banks to obtain final approval and once we receive those final approvals the Town would direct Stan Dillis to start the design and permitting process and Town Counsel to draft the necessary easements. Mr. Haddad said that another positive that would come out of this was because of the design of the plan a driveway at Citizens Bank would be eliminated which would allow the bank to put in handicap ramp to on their side entrance, something they don't currently have now. Ms. Eliot said that the process would have to go through a public hearing with the Planning Board. Mr. Haddad added that they would also have to go before the Conservation Commission and Historic Districts Commission.

MIDDLE SCHOOL TRACK REHABILITATION PROPOSAL

Mr. Jon Strauss said that he was present to spearhead a proposal to resurface the track at middle school. He said it was an interesting site which saw use by the schools as well as casual use from the town. He said that he received favorable support from the school committee at a recent meeting. He said that the site was owned by the Town and the goal was to move the project forward with support from the Board of Selectmen, School Committee and the district. He said that early estimates suggested that the cost of the project could range from \$80K-100K. He added that he would be seeking funds from other sources also and planned to spend the summer fine tuning this worthwhile project. Mr. Strauss said that the CPC would need permission from the owner of the property. He said that the school district had a use lease from the Board of Selectmen. He said that the repairs were needed to address the growing safety concerns adding that some areas were in extreme disrepair and cited an incident on the track that the Park Commission was made aware of at the end of the school year.

Mr. Schulman asked if this needed to be done by the school district or were they allowed to apply for this. Mr. Strauss said that anyone could apply for the CPC funds you just had to have the permission of the landowner.

Mr. Cunningham said that the track was originally done when the Florence Roche School was built. He asked if this was on the capital improvement list. Mr. Strauss said that it was a great question but was not sure of the capital project plans of the district. He said that he had been in touch with original company that did track which was done in the late 70s. He said that in his conversations with the Athletic Director the primary focus was on the high school and their fields. Mr. Cunningham said that he supported this project adding it needed to

be done. Mr. Petropoulos asked what would happen if they didn't support this application. Mr. Strauss said that life would continue but added that this was an infrastructure projects that needed to be done at some point. He said that it would eliminate the fact that this was an emerging safety issue and thought if they applied for and received CPA funds they could do this without burdening the taxpayers.

Mr. Degen said that the semantics were bothering him. He said that he understood that the property was under control by the Board but thought it should have been part of the districts capital plan as a maintenance issue. He also thought that because the district used the property, that the project should be split between Groton and Dunstable 75% - 25%. Mr. Degen said that he would support this if both towns were in support of it and both towns contributed CPC funds towards it. Mr. Cunningham said that capital expenses were in regional agreement and the percentage was based on the number of students enrolled in the middle school. He said that the track was not just used for middle school track but for recreation use by the schools also adding that it was also open to town functions, clubs and individual use also. Ms. Eliot said that she supported this project adding that Dunstable already had its own beautiful track at Larter Field. She said that other activities could use it also adding that they could also look into irrigating the infields also to help improve the property. She said it was a liability at this point and congratulated Mr. Strauss on taking this project one.

Mr. Schulman said that he didn't see why Groton and the CPA couldn't do this. Mr. Strauss said that he was happy to approach Dunstable on this. Mr. Haddad said that at the end of the day it was Groton's property and their asset to improve. Mr. Robertson said that he runs the track all the time and did not think that it was in good condition. He said that the middle school was a quarter mile track with hurdles among other things. He said that the field was getting worse and had been that way for the past eight years. He said that it needed to be repaired adding that if it was the Town's property, it was only going to get worse if they didn't consider fixing it the right way now.

Mr. Cunningham asked which bucket the funds would come out of. Mr. Strauss said the unallocated bucket adding that he had also checked with Mr. Easom and there were sufficient funds in the bucket right now. Mr. Degen said that he was concerned about using CPA funds to do this. He said that the money would be used to benefit the district and thought this should be included in the districts capital expenditure plan like what the Town uses. He said that the school district spent hundreds of thousands of dollars landscaping both the high school and middle school and don't take care of it. He said that the courtyard project at the middle school was done by volunteers and was another example of something they don't use or take care of. He said that the only way he could support this project is if split between Groton and Dunstable. Mr. Tom Orcutt said that he had a son who runs track and supported this as a private citizen. He said that he thought this was a perfect project for CPC funds adding that he also thought the grass area could be fixed. Mr. Petropoulos said that he was sympathetic to Mr. Degen's position but would like to know what the real utilization of use between schools and private use was.

Mr. Strauss said that he understood and could work on that. He said that they were all tax payers at the end of the day and thought this was a safe, useable and realistic project which benefited the Town and the schools. He said that he was there that night to let the Board know this was something he wanted to pursue. Mr. Petropoulos said that he would like to see resolution in who maintains the property and how it would be maintained in the future. Mr. Degen said there was no question that it was the schools. Ms. Eliot suggested a maintenance agreement be drafted. Mr. Haddad asked the Board if they wanted Mr. Strauss to continue with this process. He said that if they did they could start having conversations with Superintendent and the School Committee and who would manage it. Mr. Degen said that the Towns had just entered into agreement with a consultant to redo the district agreement and thought it would be a prime opportunity to codify the responsibilities from building to building to building.

Mr. Cunningham said that the lease agreements may contain some of this information already adding that they could engage with the schools facility management and see how they intend to manage this moving forward. Mr. Petropoulos asked what Mr. Haddad's takeaway was. Mr. Haddad said that he suggested allowing Mr. Strauss to move forward one these plans and for the Town to engage in conversations with the School Department. Ms. Eliot said that she thought something should be done adding that the details shouldn't block the process and offered her support moving forward.

PRESCOTT REUSE COMMITTEE

Mr. Greg Sheldon thanked the Board for allowing him to provide them with their second quarterly report. He said that he was the Committee's Chair and Ms. Eliot said the Vice Chair. He said that he would like to summarize what was provided to them in their packet. He said that the Committee had been in business for six months and in that time had organized subcommittees to gather information. He said that they had been surveying local use groups and had received over 25 interest forms. He said they held a public forum in May during which the group came up with over 50 ideas for use and they had issued a public survey through GELD's invoice mailing and through the public school email system. He said they reached out and looked to study a number of community initiatives and buildings and tried to come up with other business models that other town have used on town assets. Mr. Sheldon said that they were now at phase II, which was the project analysis phase and were trying to make sense out of all the information received to date. He said they were also looking at the load capacity of building and were fortunate to have an engineer and builder on the committee. He said that they were also fortunate to have a master's student from Boston Architectural College working with our committee over the summer. He said that based on studies done so far all ideas we have heard could fit on that first floor and carry the load. He said that they did not look at the second floor where school district was or the roof. He said they would spend the next few weeks examining those options and hoped to have final report later in September along with a management and financial plan.

Mr. Haddad asked if any of the proposals would need Town Meeting approval in the fall. Mr. Sheldon said that they would ideally like to be ready for the fall but if not defiantly the spring. Mr. Haddad said that the warrant would close at the end of August which didn't give them a lot of time. He said that if the Committee was feeling pressed for time they may want to consider allowing themselves additional time and wait until the spring Town Meeting. He said it was just a suggestion adding he didn't the Committee to feel like they had to press it through. Mr. Sheldon said that maybe they would discuss adding a placeholder but hoped to warp this up by the middle of August. Mr. Cunningham said that the Committee had done a great job so far and appreciated the work that had been done on assessing the structure. Mr. Petropoulos said that he was looking forward to seeing the financial plan.

TOWN MANAGER'S REPORT CONT.

6. Mr. Haddad said that they had received a Winery License request for the Farmers Market from Aaronap Cellars, LLC of Westford, MA. He said that the license would allow them to sell wine at the Farmers Marker on Friday's from 3:00pm to 7:00pm beginning on July 10th through October 2nd and asked the Board to consider approving this request. Mr. Haddad added that vendors that had done this in the past had not come back this year.

Noel Powell of Aaronap Cellars introduced himself adding that this was his second year of operation. He said that all wine was made by him with local grapes and was looking forward to selling locally

Mr. Cunningham moved to grant the requested winery license to Aaronap Cellars, LLC of Westford, MA beginning on Friday's from July 10, 2015 through October 2, 2015 from 3:00pm to 7:00pm at the Farmers Market at the Williams Barn. Mr. Degen seconded the motion. The motion carried unanimously.

7. Mr. Haddad said that it was that time of year to call for the 2015 Fall Town Meeting. Mr. Haddad reviewed the schedule with the Board with the Town Meeting to be held on Monday, October 19, 2015. He said that he would also like the Board to vote to open the Warrant effective July 7, 2015 and close the Warrant on August 27, 2015.

Mr. Cunningham moved to call for the 2015 Fall Town Meeting to occur on Monday, October 19, 2015. Mr. Schulman seconded the motion. The motion carried unanimously.

Mr. Cunningham moved to call for the opening of warrant on July 7, 2015 and for it to close on August 27, 2015. Mr. Schulman seconded the motion. The motion carried unanimously.

8. Mr. Haddad said that September 22m 2014 was the last time the Board reviewed Executive Session meeting minutes. He said he and Ms. Dunbar had been working with Mr. Petropoulos to develop a spreadsheet to track minutes and whether to release them, never release them or release them at the conclusion of the reason for having the Executive Session. He said that he had also provided the Board with a draft of those minutes they were proposing for release. He thanked the Chair adding it was a good process and added that they would be updating the spreadsheet over the summer to include minutes back to 2008 in an effort to catalog it for future Boards. Mr. Haddad said that at the advice from Town Counsel, he was recommending that the Board release the minutes from 1/27/14 which had to do with collective bargaining and the minutes of 1/5/15 which had to do with negotiations between the Town and SEIU 888 DPW/Water/Transfer Station for collective bargaining. He said that all other minutes were coded a reason on the spreadsheet as to why they could not be released.

Mr. Cunningham moved that they release the Executive Session meeting minutes of January 27, 2014. Ms. Eliot seconded the motion. The motion carried unanimously.

Mr. Cunningham moved that they release the Executive Session meeting minutes of January 5, 2015. Mr. Degen seconded the motion. The motion carried unanimously.

9. Mr. Haddad said that the Legislature had passed a law that allowed the Board of Selectmen and Finance Committee to transfer money between line items as long as they do not exceed a certain amount of money a few years ago. He said that this allows the Town to balance and finalize the FY 15 budget. He said that he had provided the Board with a list of transfers needed adding that it was minor money. He said that the Finance Committee would be taking this up at their meeting the following night. Mr. Haddad said that the total amount of transfers equaled 4,680.83 and asked the Board to approve the transfers.

Mr. Degen moved that the Board of Selectmen approve the line item transfers as presented that night contingent upon the same vote of the Finance Committee. Ms. Eliot seconded the motion. The motion carried unanimously.

Mr. Haddad said that he wanted to take a moment to commend the Accountants Office on all their hard work through their busy time.

Mr. Haddad said that one of the Boards goals was to set up meetings with Boards and Committees appointed by the Board. He said that over the next couple of months the office would be scheduling those meetings. He said that there were some boards that they were not going to ask to come in and reviewed that list. Mr. Petropoulos said he thought about one Board a month sounded good to him.

OTHER BUSINESS

Mr. Petropoulos said that he attended a meeting of the Groton Board of Trade a couple of weeks ago and asked them what the Board of Selectmen could do to support local businesses. He said that he received a lot of feedback from them. He said that one suggestion was to establish a process where the Board of Selectmen acts as a liaison with local business and brings back any concerns to the Board. He said that this could be a quick five minute update to the Board but thought it promoted active involvement with business and active exposure. He said that it would keep local business on their mind and our communities mind. Mr. Cunningham said that he thought it was a good idea to liaison with businesses. Mr. Degen said that he was in favor of it and asked if they could get a list of businesses and private schools. Ms. Eliot also thought this was a great idea and added that the Economic Development Committee (EDC) had done this in the past. She said that she would like to see them meet with EDC also adding they were the committee appointed to do this. She said that this could be a continuation of those efforts. Mr. Schulman said that he too thought it was a good idea but didn't want them to bite off more than they could chew. He said there were also a number of home occupations out there that they should also plan to visit. Ms. Eliot said that they could get a list of home occupations from the Town Clerk.

Mr. Haddad said that they could make the Economic Development Committee the first Board to come in to meet with them with their annual report and to discuss this. Ms. Eliot stated that the Economic Development

Committee had no meeting prior to the next Board of Selectmen meeting and would not have a report ready but could discuss Mr. Petropoulos's idea. The Board was in agreement.

LIAISON REPORTS

Mr. Schulman said that at the meeting of the Charter Review Committee last week the Committee was instructed by Attorney Lauren Goldberg on how to get charter changes implemented and on different procedures. He said that they talked about the summer schedule of committee, on how to get community input because they felt it was not up to the committee to decide all charter changes and how to submit ideas and justification for those ideas to the Committee. Mr. Schulman said that they were working on a website and holding a public hearing on July 22nd.

Mr. Schulman said that he also was in receipt of the Town Manager's performance report. He said that the Town Manager had had fantastic accomplishments but not without its challenges. He said that he had a difficult time trying to combine everything into one document and hoped that everyone was slightly dissatisfied with the document because he then would feel like he have done his job. He said that this would be scheduled for a future meeting. Mr. Petropoulos reviewed the process for the public adding that this was the first time they had seen this document.

Mr. Petropoulos said that two weeks ago while traveling he had received a request for the Board's agenda. He said that he mistakenly forwarded the Selectmen's packet including Executive Session meeting minutes. He said that he should not have sent the packet and they were processed. He said that this was a huge mistake on his part and had many implications. He said that this broke any trust that other board members had for him and was truly sorry to have done this. He said that he wanted to make sure want to make sure that any lack of understanding was known and understood and did not excuse his actions. He said that he had met with a number of members of the Board to let them know how this happened and that there were changes in policy because of this. He apologized to the Board and to the residents for this mistake. Mr. Schulman said that this was a lesson for all them that they should delegate and not conduct Board business while on vacation.

Mr. Petropoulos said that they knew that the Tennessee Gas Pipeline was moving forward with the preferred route going through NH. He said that he knew this was gaining speed but didn't think that meant there was anything they couldn't do to help fellow communications. Mr. Cunningham said that they had received a formal notice from FERC in their mailbox that day and dated June 30th which provided a timeline and where they are at. Mr. Petropoulos suggested they ask the Committee in for a discussion. Mr. Schulman said that the focus of the coalition was on those Town's affected with the new route. Mr. Degen said that a tremendous amount of money was being spent on advertising. It was asked that the Committee be invited in to the August 3rd meeting.

MINUTES

Mr. Degen moved to approve the Regular Session meeting minutes of June 1, 2015 as amended. Mr. Cunningham seconded the motion. The motion carried unanimously.

Mr. Degen moved to approve the Regular Session meeting minutes of June 9, 2015 as amended. Mr. Cunningham seconded the motion. The motion carried unanimously.

Mr. Degen moved to adjourn at 7:00pm. Mr. Cunningham seconded the motion. Motion carried unanimously.

Approved: _____

Stuart Schulman, Clerk

Date Approved: 7/20/15

respectfully *submitted*,
Dawn Dunbar, Executive Assistant