

**BOARD OF SELECTMEN MEETING  
MINUTES AUGUST 3, 2015  
UN-APPROVED**

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

**Absent:** Peter S. Cunningham, Member

**Also Present:** Mark W. Haddad, Town Manager

Mr. Petropoulos called the meeting to order at 6:00pm and reviewed the agenda.

**TOWN MANAGER'S REPORT**

1. Mr. Haddad said that spot treatment of Lost Lake/Knops Pond under a Notice of Intent by the Conservation Commission had been just done. He said that the cost for this spot treatment was \$13,100 adding there was not enough left in original \$98,000 +/- budget. He said that the Lakes Association was generous enough to donate \$7,500 to cover the remainder of the cost and wanted to publically thank them for this donation. He added that the Lakes Association had given the Town close to \$25,000 for various projects.
2. Mr. Haddad said that he wanted to receive feedback from the Board on the Town Counsel RFP process. He said that they had received seven bids, one of those being for labor counsel only. He said that he had provided the Board with copies of the submissions and wanted to hear from the Board about the review process. He said that they could do it as a work session or at one of their regular meetings. He said that Kopelman and Paige's contract had been extended until September 1<sup>st</sup> but that they could extend it longer if they needed to.

Mr. Degen said that he had reviewed the proposals and thought that there were four qualified firms in his opinion. He suggested that they forward to the Town Manager their top three of four firms, those that they would like to see interviewed and invite them in for an interview. Mr. Schulman said that he thought Mr. Degen's approach was reasonable but thought that they should discuss it in a public work session and schedule the interviews for after they had discussed the applicants. Mr. Petropoulos said that he would like to see a matrix created and liked the idea of work session. Mr. Haddad said that they could dedicate a meeting just for this discussion. Ms. Eliot asked if they would be interviewing the candidates at this same work session. Mr. Schulman thought they should have one meeting to discuss the candidates and a second meeting to interview them. Mr. Haddad said that he would develop a list of interview questions for the Board to review and develop a matrix as discussed.

3. Mr. Haddad said that he had appointed Sydney Greeno of Shirley to the Pro-Shop Staff at the Groton Country Club. He said that Sydney was entering her sophomore year at Ayer-Shirley Regional High School and was a member of the Varsity Softball Team. He said that her father, Jonathan, was the Town's Assistant Assessor. He respectfully requested that the Board ratify his appointment.

*Mr. Schulman moved to ratify the Town Manager's appointment of Sydney Greeno as a Pro-Shop Attendant with a term to expire June 30, 2016. Mr. Degen seconded the motion. The motion carried unanimously.*

4. Mr. Haddad said that he would like to receive the Board's feedback on posting the Board's meeting packet online like Town of Andover currently does. He said that this could be something that a person goes online and requests to have sent to them eventually. He said that the packet would not contain any Executive Session material. Mr. Degen asked if this included all correspondence. Mr. Haddad said that he was not suggesting all correspondence, only the packet. Mr. Petropoulos said that he thought it was a great idea. Ms. Eliot said that she was a little leery of doing this adding that there was some personal material that they would also be seeing for the first time. Mr. Degen agreed adding that things like phone numbers and emails could be put out there and didn't want to see that happen. Mr. Haddad said that he understood and offered to bring to a future meeting a sample of a packet he would post online. Mr. Petropoulos asked if when the packet was put together if it was reviewed by him. Mr. Haddad said that it was adding he agreed that personal information like Committee Interest Forms should not be

posted online. Mr. Haddad suggested that they start with posting his Town Manager's Report and see where it goes from there. Mr. Petropoulos asked if they could bring this back to their next meeting adding that Mr. Cunningham who was not present had some ideas about the newsletter too. Mr. Degen said that they hadn't talked about the newsletter yet Thought they should put it on a future agenda. He said that the relationship between their office and the Groton Herald has been tenuous at times adding that the editor had a right to opine on what they want. He thought that the offer from the Herald should be discussed further adding that informing the public was a great idea. Mr. Haddad said that he would add it to their next agenda.

5. Mr. Haddad said that the Town of Groton went out to bond on temporary one year notes for a couple of projects, like the radio project. He said that they received an interest rate of .45% for a total interest of \$7,500 on over \$2M worth of bonds. He said that their credit rating was excellent.

Mr. Haddad asked the Board to take a vote that the sale of the \$2,487,000 Anticipation Serial Loan – Municipal Purpose Loan of the Town dated August 12, 2015 (the "Note"), to Century Bank, at the price of \$2,487,000 is hereby approved and confirmed and that the Note shall be payable on April 1, 2016, and shall bear interest at that rate of .45%.

*Mr. Degen made the motion. Ms. Eliot seconded the motion. The motion carried unanimously.*

#### **JOINT SESSION WITH HOUSING AUTHORITY**

Mr. Haddad said that Housing Authority member Katharyn Dawson had recently moved out of town and had to leave her seat on Housing Authority. He said that they were there to meet in joint session with the Housing Authority to discuss filling the vacancy. He said that Leslie Colt of 29A Lowell Road had expressed interest and was there to answer any questions the Board had. Mr. Haddad asked the Board to consider appointing Ms. Colt to the unexpired term which expires in 2017. She would have to run for the remainder of the term at the 2016 spring election.

Mr. Lyman called the meeting of the Housing Authority to order and said that they were unanimous in their nomination of Ms. Colt to the vacant seat.

*Mr. Degen moved that they appoint / elect Ms. Leslie Colt to the unexpired term at the Housing Authority with a term to end at the next annual election. Ms. Eliot seconded the motion. Both the Board of Selectmen and Housing Authority were unanimous in their votes.*

#### **TENNESSEE GAS PIPELINE WORKING GROUP**

Mr. Kelly said that the preferred route for the pipeline was still Southern NH as of this time. He said that over 80% of the pipeline was to be co-located with other easements adding there were a lot of advantages for it going there. He said that Groton was still an alternate path at this time and scoping meetings were going on right now throughout the region. Mr. Kelly said that there was a scoping meeting on August 12th in Lunenburg that they would be going to. He said that they would have three minutes to speak and the committee had compiled a few items they would like FERC to consider as they go through these filings, such as directional drilling under the Nashua River, environmental impacts and ACEC, high school evacuation plans, safety impacts and first responder policies. Mr. Kelly said that a discussion about intervener status would be the next step for them.

Mr. Schulman said that support is going to be needed by the town for things such as police and fire response and asked if those concerns could be addressed. He specifically wanted to know who would pay for Groton's provided services should the need arise for something such as detail officers. Mr. Degen said that should Groton end up being preferred route instead of acquiring properties through eminent domain he asked if they could make a request to FERC that Kinder Morgan be required to use already disturbed land. Mr. Kelley said that he wasn't sure that a scoping meeting was the right place to do that. Mr. Petropoulos said that he thought it was something they could ask at the scoping meeting but where Groton was not the preferred route, they would have to be careful with how they phrase it.

Ms. Carole Bouchard said that she thought scoping meetings were the place where they had the only opportunity to make their concerns known. She expressed concern that Mr. Kelly was going to be the

spokesman at the scoping meeting adding that his point of view was different than others. Mr. Petropoulos said that Mr. Kelly was the chair of the Committee but not the only spokesman. He said that elected officials had an opportunity to speak without a limit and early on in the meeting. He said that Mr. Kelly's opinion was only one opinion and didn't drive the committee's point of view. He said that Mr. Kelly was there to advise the board on the committee's feelings and recommendations. Mr. Petropoulos said that he understand Mr. Kelly's point of view as a provider of electricity but he was there representing the committee. Kevin said that intervener status would be something that they should discuss later in the fall. He said that they would have a cost estimate for intervener status after September 21st adding they could be looking at a six figure number to do this. Mr. Kelly suggested that they may want to consider doing this in conjunction with other towns to split on the cost. Mr. Schulman said that the Coalition was also concerned about this and had also discussed it at their last meeting adding he also thought it made sense to do it as a group because of the potential high costs.

Mr. Haddad said that they would need town meeting to appropriate funding for this. Mr. Degen suggested that an article be placed on the Fall Town Meeting warrant to fund a certain amount of intervener status and let the tax payers decide. Mr. Kelly said that it was not inexpensive to go before FERC in Washington DC adding they would be looking into all affordable options. Mr. Degen suggested a placeholder with a sum not to exceed number. Mr. Haddad agreed. Mr. Degen also suggested that other towns interested in this do the same.

Mr. Degen asked if they could ask FERC if this resource could stay within the New England states and not be exported. Mr. Petropoulos said that the pipe had been shortened down from 36 to 30 because export capabilities were not as viable as originally thought. Mr. Petropoulos asked the Board to send him any other questions they would like to see mentioned at the scoping meeting and asked the public to do the same.

#### **VISION FOR SURPLUS PROPERTY ON STATION AVE**

Mr. Haddad said that Mr. Kelly was also present to discuss the vision of the surplus property where the current GELD garages are at the end of Station Ave. Mr. Kelly said that as soon as they had finished moving their equipment and supplies out of the old garages, a portion of the property would be declared surplus. He said that the Commissioners would like to try to recoup the money they spent on the Downes property when the property is declared as surplus. He said that he wanted to start the discussion with the Board as he was starting to contemplate the RFP and the future of parcel. He said that he would love to see a unified vision.

Mr. Haddad asked if they were planning on tearing the garages down. Mr. Kelly said that they were not planning on tearing them down. Mr. Kelly said that he was not sure if the Board pictured a 1 or 2-way street there, or a park, or a combo of both. Mr. Degen said that the Board helped them with the Macgregor property. He said that he would like to see something come back to the taxpayers also. Mr. Degen wondered about waiting a year until they hear from the Prescott Committee adding there may be synergies between two. Mr. Kelly said that they already swapped the Town for the MacGregor property with the end of the property near Broadmeadow. Mr. Degen wondered if maybe the bus company would want to locate there. Ms. Eliot said that she would like to see them work with the bus company to do a land swap and include a bus depot. She said her vision of the property was some sort of pedestrian friendly thru way.

Mr. Kelly said that it would take them a few months to fully move out of the old garages but wanted to begin the discussion. He didn't think his Board would have a problem waiting a year to find out what the plan was for the Prescott School. Mr. Petropoulos asked if they had met with the Planning Board yet. Mr. Kelly said that Ms. Collette had come to a meeting adding that the general consensus from 2nd floor of Town Hall was a PARC grant. Mr. Haddad said that he would add this discussion to their workshop agenda and send back thoughts to GELD. Mr. Degen asked how much they were looking to recoup for the Downes property. Mr. Kelly said in the \$300,000 range. Mr. Degen asked if the building had salvage value. Mr. Kelly said that he also thought about creating an RFP to have it moved to the transfer station if it would be done in an affordable manner.

#### **TENNESSEE GAS PIPELINE WORKING GROUP – CONT.**

Ms. Eliot asked if they could go back to the pipeline discussion as some people interested in the topic had just arrived. Mr. Richard Hewitt said that he had attended some scoping meetings in NH recently. He said that between 600-700 people had attended the one in Milford and over 1000 people attended the one in Nashua. He said that they heard presentations from between 30-40 elected officials, state officials, etc.; who made a very powerful case as to why it should not be in NH. He said that they found out that FERC decides the route not Kinder Morgan. He said that there were advocates there saying they should move it back to Massachusetts

where 50% of energy goes to Massachusetts via Seabrook. He said that another compelling argument made was that the parallel route to existing route meant they needed to clear another 100 feet next to the existing and in some spots required blasting to be done. He said there was also concern for the small towns who didn't have enough emergency personnel to deal with this should the need arise. He said that the Governor of NH called for a delay along with Massachusetts's Attorney General because there was 21,000 to be determines on the application submitted to FERC by Kinder Morgan with another 7,000 pages of documentation submitted last week with 10,000 unknowns. By the time scoping meetings are over there would be no time to respond to those unknowns.

#### **TOWN MANAGER'S REPORT - CONT.**

6. Mr. Haddad said that this was a big day in the Town of Groton. He said that as the Board would recall, during the FY 2016 Budget deliberations, we proposed creating the position of Deputy Chief and promoting Lieutenant James Cullen to that position. Chief Donald Palma believes the time is right for the position of Deputy Police Chief. According to the Chief, as the world changes and law and law enforcement become more complex, the ability of a department like Groton to stay current and move forward requires someone who can speak on behalf of the Chief. Additionally, as the competition for funds from outside sources increases, an advocate or representative for the department in a position of administrative authority gains an edge when competing for these funds. Mr. Haddad said that Chief Palma had begun to train Lt. Cullen to perform the varied functions of the Office of Chief of Police. He believes this is a sound management practice with an eye toward the future. A succession plan is extremely important. He said that this promotion would not affect the functionality or staffing of the department. It acknowledged and accurately reflected the duties now and in the future for the second in command position. Additionally, the position(s) of Lieutenant and Captain will remain in the overall Groton Police Department structure with the anticipation that they will be filled at a later date when the need arises through the normal budget process. Chief Palma believes that Lieutenant Cullen has demonstrated to him that he is a leader and shares the vision the Chief has for the Groton Police Department in the future.

Mr. Haddad said that Lieutenant Cullen began his career as a police officer in 1986 with the Winchester Auxiliary Police. He then joined the Hudson New Hampshire Police Department in 1993 and remained with them until joining the Groton PD in 1999. During this time, Jim developed an interest in accident reconstruction, became certified in that specialty and even became qualified in court as an expert witness in both New Hampshire and Massachusetts on the topic of accident reconstruction. He has held a number of positions within the Groton Police Department, being promoted to Sergeant in 2003, and Lieutenant in 2009. Additionally, Jim has been an active member of the NEMLEC Regional Response Team and has assisted a number of local police departments with accident investigations. He holds a Master's Degree from Western New England College in Criminal Justice Administration and is working toward a second Master's Degree from Norwich University in Leadership. He is a graduate of the FBI National Academy in 2010, and the FBI Leadership Executive Development training in 2012. The Chief has recommended without reservation that James Cullen be promoted to the position of Deputy Chief of Police of the Groton Police Department. It is with great pleasure that I inform the Board that I have made this appointment and would respectfully request pursuant to Section 4-2(c) of the Groton Charter that the Board ratify this appointment effective August 3, 2015.

Ms. Eliot said that there were few opportunities for advancement in a small force and thanked Lt. Cullen for his commitment. Mr. Petropoulos said that this appointment well deserved.

*Mr. Schulman moved to ratify the Town Manager's appointment of James Cullen as Deputy Chief effective August 3, 2015. Ms. Eliot seconded the motion. The motion carried unanimously.*

7. Mr. Haddad said that the Municipal Building Committee for the Prescott School had been working very hard to develop a thorough and well thought out proposal for the future of the Prescott School. One of the areas of importance was the actual cost of renovating the building if it were to be designated for community use. He said that in order to obtain the best possible cost estimates, they would like to be able to update the estimates that were contained in the Bargmann Report done for the original Prescott Re-Use Committee. They have reached out to the company that did the original estimates three years ago and they would charge \$3,500 for this update. Mr. Haddad said that the

Board had a couple of options if they were inclined to support this request. First, they could wait until the Fall Town Meeting and put an article on the Warrant seeking this appropriation, or they could expend some of their discretionary funding and replenish it at the Fall Town Meeting to avoid a two month delay in the work of the Committee.

Mr. Greg Sheldon said that he was present a month ago to update Board adding that the Committee was in the process of putting together a new scope of what might occupy the building. He said that the numbers didn't align with what was done 3 ½ years ago. He said that they would like to come up with better numbers to match where they hope to come out. Mr. Petropoulos asked what Mr. Sheldon meant by the numbers weren't on track with estimates from three years ago. Mr. Sheldon said that they had over 40 ideas and were trying to go through them to figure out what the right fit would be. He said that they need other numbers associated with these options to reliably do a finance plan based on that. Discussion ensued.

Mr. Haddad said that the square foot costs need to be updated. He said that the purpose of taking a look at numbers was to base them on the current numbers for market use. Mr. Petropoulos said that he was unsure of the value of the reports if there was a difference of \$400,000 on electrical per the example that was just used. Mr. Sheldon said that they were also trying to determine if this was something that should be done at once or a phased in approach adding that these numbers would help determine that. He said that they would like to come back to the Board with cost estimates, plans for use, etc. Ms. Eliot said that one of the issues with discrepancy was municipal costs vs. private entity costs. She said that Mr. Yanchenko would not have been required to pay prevailing wage, so his numbers would have been lower than our original estimates. She said that they also wanted to look at the numbers as though some would be for commercialized use and some for community use. Mr. Sheldon said that it was also important to point out that Mr. Yanchenko's plan was to not renovate the basement where their plan was to renovate it for use. He said they were trying to put numbers on what creates revenue and how much it will cost to do this.

Mr. Schulman asked if it was too early to do this. He wondered if they needed to know what the final uses were prior to looking at numbers. Mr. Sheldon said that this was permission to align this with their scoping and wanted to be able to pull the trigger quickly. He said that they were trying to be ready to present to the Board in September. He said that they were looking for permission that night to be able to crunch the figures when they were done with scoping and ready to move on. Mr. Degen said that he understood why they wanted the money but thought that they already had a template of costs. He said that HVAC, roofing and electrical, as examples, were all constant adding that different configurations warranted different costs. He said that there was a MEANS catalog out there that tells you what prices are for prevailing wage and non-prevailing wage jobs. He said that they could look at it to price out things adding that an online subscription was only a few hundred dollars. He said that they could safely estimate a 6% increase over the past three years to ascertain certain assumptions. He said that if scoping was in place he would be more comfortable supporting \$3,500. He added that he would be willing to support this with a proviso that the Committee comes back to them when scoping was done and funds would be released at that time. Ms. Eliot said that Mr. Platt had already done this partly adding she thought he had already used MEANS or something similar and gotten to a point where he would need assistance with the numbers. Mr. Degen reiterated that he would like to see the scoping done and a consensus before someone was sent off with a charge that may change. Ms. Eliot said that it was hard to come up with a scoping without knowing what some of the figures were. She said that they were at a point where figures were needed to calculate against options. Mr. Degen suggested that they look at forming a community development corporation, which was a quasi-private public partnership where an old building up for rehab is given for \$1 to the community development corporation which then can rehab and give space back to the public at non-prevailing wage rates. Mr. Haddad said that they needed to be cautious about that. Mr. Degen agreed. Ms. Eliot said that the Committee was looking into those options as well.

Mr. Haddad asked for a vote from the Board authorizing him to spend up to \$3,500 on behalf of the Board based on their discussion. Mr. Schulman asked if that would exhaust their funds. Mr. Haddad said that he would want to replenish it at the Fall Town Meeting.

*Mr. Degen moved to authorize the Town Manager to expend a sum not to exceed \$3,500 to engage with a consultant to update the numbers on the three year plus old study done, to be used by the Prescott Committee and to replenish it at the Fall Town Meeting. Mr. Schulman seconded the motion.*

Mr. Petropoulos said that he would like to see the Committee come back before the Board before spending any money.

*The motion carried unanimously.*

**LIAISON REPORTS**

Ms. Eliot said that the Planning Board was meeting again regarding the Tarbell School this Thursday. Mr. Haddad said that it was his understanding that having Ms. Eliot and Mr. Cunningham at the last meeting was helpful. Mr. Haddad said that the Planning Board had requested more info on the drainage. Mr. Petropoulos said that this had gone on a long time adding he didn't think he could vote in favor of tearing the building down. He said that this was a great builder and they needed to make this happen.

Mr. Degen said that the Williams Barn Farmers Market was every Friday from 3-7. He said that it was a great event and the place looks super. Mr. Degen said that he was also at Sargisson Beach the day before adding that the Beach looked wonderful.

Mr. Schulman said that the Charter Review Committee met and was attempting to get public input. He said that they had received comments from a few people and encouraged people to send their thoughts.

Mr. Degen said that he missed their last meeting where they discussed the Invasive Species Committee. He said that the meeting prior to that he had indicated interest in serving on the Committee and hoped that they would entertain his interest in serving.

*Mr. Schulman moved to appoint Mr. Degen to the Invasive Species Control Committee term to end June 30, 2016. Ms. Eliot seconded the motion. The motion carried 3-0-1 with Mr. Degen abstaining.*

Mr. Petropoulos said that he attended a Friends of Prescott School meeting adding that it was a great group of people passionate about what happens to Prescott.

Mr. Petropoulos said that he had been in contact with Town Counsel and wanted to pass out an Attorney/Client privileged document dealing with assuring they complete the Town Manager's review accurately. He said that he didn't want to discuss it but just wanted to distribute it to the Board. He said that it talked about required documentation needed to complete the review. Mr. Degen asked if they could discuss it at their next meeting adding that he had a problem with what it said.

**MINUTES**

*Ms. Eliot moved to approve the Regular Session meeting minutes of July 20, 2015. Mr. Schulman seconded the motion. The motion carried 3-0-1 with Mr. Degen abstaining.*

*Ms. Eliot moved to approve the Executive Session meeting minutes of July 20, 2015 and not release them. Mr. Schulman seconded the motion. The motion carried 3-0-1 with Mr. Degen abstaining.*

Mr. Degen moved to adjourn at 7:47pm. Mr. Schulman seconded the motion. The motion carried unanimously.

Approved: \_\_\_\_\_

Stuart Schulman, Clerk

\_\_\_\_\_ respectfully submitted,  
Dawn Dunbar, Executive Assistant

Date Approved: