

**BOARD OF SELECTMEN MEETING  
MINUTES NOVEMBER 2, 2015  
APPROVED**

**Present:** John G. Petropoulos, Chair; Anna Eliot, Vice Chair; Peter S. Cunningham, Member; Joshua A. Degen, Member via phone

**Absent:** Stuart M. Schulman, Clerk

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

Mr. Petropoulos called the meeting of the Board of Selectmen to order at 6:00pm.

**ANNOUNCEMENTS**

Mr. Petropoulos said that he attended the going away night at the Main Street café. He said that it was a great night and the proclamation was very well received.

**PUBLIC COMMENT PERIOD**

Ms. Baxendale said that at the beginning of the summer parking in between the banks was a topic that was discussed and asked what the status was. Mr. Haddad said that they were currently in the design phase and planned to start construction in the spring.

**TOWN MANAGER'S REPORT**

1. Mr. Haddad said that the Board had recently promoted Warren Shattuck to Highway Mechanic creating an opening for a Truck Driver/Laborer. He said that after advertising the position, Mr. Delaney had recommended that he appoint Brian Callahan of Shirley to the vacancy. He said that Mr. Callahan currently works for the Shirley DPW and Fire Department and comes highly recommended. He said that he was excited to bring Mr. Callahan on board and asked the Board to consider ratifying his appointment.

*Mr. Cunningham moved to ratify the Town Manager's appointment of Brian Callahan as a Truck Driver/Laborer for the Highway Department. Ms. Eliot seconded the motion. Roll call: Cunningham-aye; Eliot-aye; Petropoulos-aye; Degen-aye*

2. Chief Palma said that the Board, back in May, had agreed to take things out of turn and ratified the appointment of Officer Patrick Timmons so that he could attend the academy. Chief Palma said that he was present to inform the Board that Officer Timmons had graduated Friday from the Academy. Officer Timmons had been a Reserve Officer since 2010. Chief Palma said that Officer Timmons was not only the oldest member of the graduating class but finished first in academics out of 48 people and was recognized for excellence for physical training. Chief Palma thanked the Board and informed them that Officer Timmons first night was that night.
3. Mr. Haddad said that they currently had a vacancy for a van driver adding that Ms. Shelp had interviewed candidate and had recommended that he appoint Marcel Falardeau to the position. Mr. Haddad asked the Board to ratify the appointment. Mr. Cunningham said that Mr. Falardeau had quite a resume adding that he had been a member of the Department of Defense and a nurse.

*Mr. Cunningham moved to affirm the appointment of Town Manager of Marcel Falardeau as a Van Driver for the Council on Aging. Ms. Eliot seconded the motion. Roll call: Cunningham-aye; Eliot-aye; Petropoulos-aye; Degen-aye*

4. Mr. Robertson called the meeting of the Personnel Board to order at 6:10pm. Mr. Haddad said that the Personnel Board had been working on a policy with the HR Director, Town Counsel TC and the Town's insurance company. He said that the policy had to do with domestic violence issues and time off for employees should they need it. He said that that the Personnel Board had signed off on it and recommended the policy to the Board for review. Ms. Eliot asked if the Police Chief had looked at it. Mr. Haddad said that it had nothing to do with any actual violence more so time off if needed for the employee. Mr. Cunningham asked if there were other organizations that had similar policies. Ms. Doig said that other towns were also adopting this policy. Mr. Petropoulos asked if this was a state initiative or federal initiative. Ms. Doig said a state initiative. Mr. Degen asked if Town Counsel had looked at this policy. Ms. Doig said that it came from them.

*Mr. Cunningham moved that they adopt the domestic leave policy as written. Ms. Eliot seconded the motion. Roll call: Cunningham-aye; Eliot-aye; Petropoulos-aye; Degen-aye*

5. Mr. Robertson said that the Personnel Board was suggesting some minor changes to the Town Manager Review Policy adding that most of the changes were mostly to help clarify sections. He said that they believed that they clarified what the Town Manager, Chairman and Board are specifically responsible for. Ms. Eliot questioned the words "and chair" having been taken out. Mr. Petropoulos said that wanted to make sure to specify in the policy that the Chair also does his or her own evaluation. Mr. Degen said that that was not reflected in the policy. Mr. Haddad said that they could include in under paragraph 6. Mr. Haddad said that they also wanted to change that Board members were required to meet with the Town Manager instead of encouraged. Mr. Petropoulos said that they should also state where the records are to be filed. Mr. Haddad said that they should be placed in the personnel file. Mr. Cunningham asked what would be released upon request. Mr. Haddad said that the final, voted on version would be released and suggested that add that to paragraph 10. Mr. Degen asked that they also wording that states the board will not vote to accept the final review until such time all five selectmen's individual reviews are on file.
6. Mr. Haddad said that he and the Personnel Board had been discussing the potential of entering into Employment Agreements with the three bylaw employees. He said that these were the only three individuals not covered by either a contract or Collective Bargaining Agreement. He said that the Personnel Board had raised this at one of their meetings over the summer. He said that he had met with the Personnel Board and had discussed this with Town Counsel. He said that he had provided the Board with proposed agreements in their packets. He said that the agreements put in writing what they already have with one exception; a just clause. He said that the new language provides "for cause" termination of employment. This is something that all other employees have. Ms. Jennings said that the employee cannot be fired without reason. She said that the employee would have to be reappointed every year and there was language for that also. Mr. Petropoulos asked if they were only one year agreements. Mr. Haddad said that they were and had to because of the annual appointment. He said that it also provided the employee with advance notice of non-reappointment. Mr. Cunningham said that he thought it was a good thing to do. Mr. Petropoulos asked if there was a benefit to the Town. Mr. Robertson said that the employee has to give management with a 30 day notice before leaving.

Mr. Haddad asked the Board to authorize him to enter into these agreements. Mr. Degen said that he agreed with this and whole heartedly supported it.

*Ms. Eliot moved to authorize the Town Manager to enter into agreements with the three bylaw employees as discussed. Mr. Cunningham seconded the motion. Roll call: Cunningham-aye; Eliot-aye; Petropoulos aye; Degen-aye*

7. Mr. Haddad said that the 1st quarter financials were right on target adding that they were also looking good revenue wise. Mr. Haddad said that commitments would be coming out in January adding that they were already exceeding revenues. Mr. Petropoulos said that they were doing better this year than last year. Mr. Haddad said that more people were buying cars. Mr. Petropoulos pointed out that they were already at 32% for meals tax expected revenues. Mr. Haddad said that expenditures were tracking very well. He said that the Country Club – we are closed now – paying most of the employees during the summer. Will see a reduction coming up in next quarter. Employee benefits are up – we pay assessment to pension up front in July. Over all town’s financial health is excellent. Look to Fin Com and BOS for questions. JP – our debt service is at 33% vs. 38% last year. Mike Hartnett – declining balances – reduces each year on most of our bond issues.

### **MEETING WITH FINANCE COMMITTEE – BUDGET DISCUSSION**

Mr. Haddad said that he had a great conversation with Finance Committee prior to the Selectmen’s meeting. Mr. Green said that the document they discussed was prepared based on the discussion the two Boards had three weeks prior. He said that he pulled everything from the Selectmen’s Financial Policy. He said that the discussion the Committee had was what they would like to see for a growth rate in the municipal budget. He said that based on the discussion three weeks prior, it was discussed that it would be good to have a target 1% lower than projected which would suggest that the municipal budget growth should be limited to 2.2% or less. Mr. Green said that there was a general support of this adding they didn’t specifically take a vote. Mr. Petropoulos said that the discussion would continue to evolve over time but thought it was a great start. Mr. Haddad said that he thought it was well thought out guidance adding that if the Board supported this he intended to use it as a guide. He said that the School Superintendent was hoping to be able to provide them with numbers by the end of November. He said that this was a good starting point to pass along to the Department Heads.

Mr. Robertson said that the last time they met as a group, they looked at spending by category and departments. He said that the Schools were the biggest part of the budget followed by wages and benefits. He said that he liked to refer to these costs (benefits and wages) as steady state fixed because no matter what happened with the population in town that that spending added up to \$470K and would remain that way. He said that a 2.2% increase year over year says you have to cut from that population or spend less in those categories. Mr. Petropoulos said that they were projected to spend \$9.6M in wages and benefits in FY16. He said that based on that, they would be projected to spend \$10.6M in FY17 using a growth of 10%. He said that when the pie was only growing at 3.5% a year they can’t sustain that kind of growth. He said that they would either have to grow the pie or slow the growth of salaries and benefits. Mr. Degen said that through collective bargaining wages were growing at an average of 2.2%. He said that that they needed to look at performance incentives. Mr. Petropoulos said that they needed to focus on guidance and not solutions at this point. Mr. Degen said that he would like to see it not tied to the employee’s base salary. Mr. Haddad reminded the Board that the employees gave up automatic 3% step increases in exchange for this program at the direction of the Finance Committee.

Mr. Green said that he wanted to be clear that this guidance was simply the result of a conversation that was had a month ago adding that it was up to the Selectmen to determine if this was the proper guidance. Mr. Green said that according to Mr. Robertson’s numbers in order to provide the same level of services it would have to be done with less personnel adding that they were constrained with benefits growth they don’t control. Mr. Cunningham said that it was good they were doing this but added it may not end up there at the end of the day. He said that the departments had needs which were understandable and couldn’t outsource things like businesses could. He suggested they allow the Town Manager to start meeting with the Department Heads so they could understand their needs. Mr. Petropoulos thought they had some flexibility to outsource things. Mr.

Cunningham thought it was premature to be talking about that. Mr. Haddad said that he thought having guidance of 2.2% was good. He said that he would discuss with the Department Heads the guidance provided at their meeting on the 4<sup>th</sup>. He suggested that they meet again after the first week of December to discuss what the budget meetings had brought forward and they could go from there. He said that this would give him the rest of the month to finalize the budget.

Mr. Degen said that he had had conversations with the Town Manager about growth staying at the percent of new revenue. He said that the only way to increase on the municipal side was to have new growth come in. New growth could not grow by more than the growth in revenue. Mr. Petropoulos said that at candidate's night when he asked that questions, the candidates agreed to do that. He said that the municipal budget should only grow at 3% based on this. Mr. Haddad said that in order to meet that 3% you would have to cut employees and services. He said that general government spending only went up .64%; pension was going up 4% adding that that number couldn't be changed. He said that he understood what they were saying and trying to do but said it wouldn't work. Mr. Petropoulos suggested that he look at the percentages and not the actual numbers. Mr. Green said that you couldn't look at the percentages adding that Mr. Haddad was dead on. He said that they were working with actual dollars and had to look at those numbers. Mr. Petropoulos argued that school spending and municipal spending had not been growing at the same rates. Ms. Eliot disagreed with him. Mr. Haddad also disagreed adding that if they were to compare the FY16 budget to the FY08 budget, the schools had taken the same percentage.

Mr. Cunningham asked for a point of order. He said that they were supposed to be providing guidance to the Town Manager. He said that he was not as focused on the numbers but wanted to see what was needed to provide the services people look for. Mr. Robertson said that they needed to look at a five year plan and what they could do to pension plans and the percentages. He said that if they slow the curve now, they can address it two year from now. Ms. Eliot said that these were important discussions they were having. She said that the School Committee needed to hear this also so they are aware of what we are trying to do. Mr. Haddad asked if the Board liked the idea of coming back in early December to discuss what the Department Heads were looking for. Mr. Petropoulos said that he liked the idea adding he would like to see if the major line items ended up equal or less than growth. He added that he didn't think this should impact EMS adding the budget would be a reflection of their priorities.

#### **CONSERVATION COMMISSION – LAND ACQUISITION PLAN/ANNUAL REPORT**

Mr. Peter Morrison said that their current fund balance was \$723K. He said that the Commission had discussed taking a pass on applying for CPA funds this year as they work on their current inventory and how to best manage them. He said that they were also working on invasives eradication with the newly formed Committee as well as on their own properties. He said that the Commission was also trying to restore some of their agricultural properties.

Mr. Cunningham asked about a wish list of various properties they were interested in adding he knew there were risks associated with putting that out there. Mr. Tada said that he had a copy of the 2001 priorities list done by a subcommittee of the Master Plan which was updated in 2011. He said that the Open Space and Recreation Plan had also been done in 2012. Mr. Tada said that one of the reasons they were reluctant to come up with a management plan is that one is already done. Ms. Eliot asked about Surrenden Farm. Mr. Tada said that there was a conservation restriction on the Town owned portion held by Mass Wildlife. He said that the resource management plan expires in 2016 adding that they had already been in contact with them to update the 5 year plan. He said that they were also looking to relax the July 15th restriction on field mowing due to bird species out there. Mass Wildlife has stated they would entertain supporting a more AG friendly restriction and lessening the restriction. Mr. Tada added that they had also discussed procurement laws and what they

would need to issue an RFP and if they could entertain a current farmer should they continue to be happy with him/her. Mr. Haddad said that with the RFP process they didn't have to go with lowest bidder.

Mr. Petropoulos said that he was particularly interested in whether or not they need between \$700K and \$1M in their budget forever. Mr. Morrison said that they can continue to maintain and preserve their land but don't have a lot of buffer zone around rivers and streams which is something they have been looking into. He said that there was still a lot of unprotected areas but it was not possible for them to buy all the protected land in Groton. He said that land in Groton was not inexpensive and getting more difficult to purchase. He added that they have done an extraordinary job of utilizing grants to help with the land purchases. Mr. Degen asked if the resource management plan was generic or site specific. Mr. Tada said that the properties with conservation restrictions are written into the deeds. Mr. Degen asked if before any additional acquisitions are made if the Commission would entertain a management plan for each property in their holdings. He said that there was a big problem with invasives adding he didn't want to see them buying more than they can maintain. Ms. Metzger said that there was a lot of problems with early succession adding that every property in Town has invasives. She said that most of them have invasives that are along the edges moving in. Ms. Marion Stoddart said that she supported the Conservation Commission and their request and need for between \$750 and \$1M. She said that she is interested in protection of riverfront land along the Squannacook and Nashua Rivers. She said that there was tremendous value in protecting the riverbanks and was important to keep the river clean as it could supply drinking water someday. She said that the riverbank provides a buffer from pollution also.

Mr. Petropoulos asked if the Commission wanted to see a balance in their fund for the future. Mr. Cunningham said that their policy states the Commission would have at least 2% of the operating budget annually. Mr. Petropoulos suggested maybe using it on maintenance and not acquisition in the future.

Mr. Jon Strauss said that he had had many dealings with Conservation Commission adding they had always been very successful in securing funds. He said that Parks and Recreation had competed with them for funds like CPC in the past but asked when enough was enough. He asked if they wanted to keep spending and acquiring open space. Mr. Green said that he would be interested in seeing a land management plan for each of the properties; more specifically a prioritized list of what needs to be done and costs associated with it. He said that there had never been a line item in the budget.

### **BOARD OF ASSESSORS STUDY**

Mr. Petropoulos said that a question had come up as to whether various parts of town may not be assessing the same as others. He said that he wanted to compare how homes had been assessed over last 10 years versus how they sold over last 10 years. He also wanted to see if the assessments were fair and if they had been fair. He said that over a 10 year period over the entire town assessed values tended to be 10% over sales price. He said that it was very consistent in the Town Center; in the area near the lake the sales value were higher than assessed value at a rate of 10% and home touching the lake were 17% over assessed value. Ms. Jennifer Evans said that he had gotten to the right conclusion adding that they go through a more rigorous process. She said that she approved of the number he got to. She said that they typically look for those slopes and see why it's there. Mr. Petropoulos said that sales slightly higher than assessed made sense. Ms. Evans said that the State requires them to be within 10% adding that they aim for 95% of its value. Mr. Cunningham asked how often they had to do revaluations. Ms. Evans said that the requirement is every three years adding that their goal in years one or two is to make small changes and in that third year look at all the data.

Mr. Robertson asked why this was done. Mr. Petropoulos said that there was a suggestion that certain parts of the Town were overtaxed or paying more than others. Mr. Haddad said that the overall town value stays within 10%. He said that the Assessors had done a great job in seeing that that was the case. Mr. Prest said that there was no question that you might pay more for on lake property. He said that the per square foot value for the

land is higher there than other areas of town adding that people were willing to pay more for lakefront property. Mr. Degen thanked everyone that worked on this. He said that there were misconceptions out there that the lake properties were being assessed higher than they should be adding that there is in fact parity going on as evidenced by this exercise.

Mr. Degen signed off from remote participation at 8:13pm.

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

8. Mr. Haddad said that the Trails Committee was recommending that he appoint Paul Barstow to the Committee with a term to end June 30, 2016 and asked the Board to ratify his appointment.

*Ms. Eliot moved to ratify the appointment of Paul Barstow to the Trails Committee with a term to end June 30, 2016. Mr. Cunningham seconded the motion. The motion carried unanimously.*

9. Mr. Haddad said that the Invasive Species Committee had recommended that the Board increase the size of their Committee to 9 members and appoint Holly Estes, Adam Burnett and Lee Davy to the Committee. He asked the Board to take action on this.

*Ms. Eliot moved to increase the membership of the Invasive Species Committee to 9 members. Mr. Cunningham seconded the motion.*

Mr. Petropoulos said that he had no problem supporting this but added that bigger committees require more man power. Mr. Haddad said that they all wanted to be part of the committee. Ms. Eliot said that they could always reduce it.

*The motion carried unanimously.*

*Ms. Eliot moved to appoint Holly Estes, Adam Burnett and Lee Davy to the Invasive Species Committee term to end June 30, 2016. Mr. Cunningham seconded the motion. The motion carried unanimously.*

9. Mr. Haddad said that the Prescott Committee had seven members currently adding that one member resigned as the school liaison and the School Committee decided they didn't want to have a seat on the Committee but would be advisory only. He said that they put out a call for interested individuals and had two people very interested. He said that the Committee thought that both members were outstanding but that would mean they would need to increase the Committee to eight members. Ms. Eliot said that she had no problem with having eight members adding they were not an adjudicatory committee. Mr. Haddad thanked them for the direction and said he would bring it back to the Board at the next meeting.

10. Mr. Haddad said Main Street Café had been sold and the new owners, the Coleman's would like to apply for a common victualler and entertainment license for their new café, Roots Café and Bistro which would be opening soon and asked that Board to approve the request. The licenses would expire on December 31, 2016.

*Ms. Eliot moved to grant Coleman Food Services a Common Victualler license on dates and hours specified in their application. Mr. Cunningham asked that an entertainment license be added also and seconded the motion. Ms. Eliot seconded the amendment. The motion carried unanimously.*

12. Mr. Haddad said that the Economic Development Committee was recommending that Jason Parent be appointed and asked the Board to consider the appointment.

*Ms. Eliot moved to appoint Jason Parent to the Economic Development Committee with a term to end June 30, 2016. Mr. Cunningham seconded the motion. The motion carried unanimously.*

**OTHER BUSINESS**

Mr. Cunningham said that the Rocky Hill Area Resource Management Plan was long overdue. He said that there had been two major fires there in the past couple of years adding that he encouraged at the Conservation Commission’s last meeting for them to get in touch with Mass Audubon.

Mr. Haddad said that they received a request last Thursday for First Parish Church for a one day beer and wine license for their Liverpool Event on November 7th from 7-10pm. He asked the Board to consider approving the request.

*Mr. Cunningham moved to approve the one day beer and wine license as requested. Ms. Eliot seconded the motion. The motion carried unanimously.*

**LIAISON REPORTS**

Ms. Eliot said that the Groton Inn was moving along with the various Boards. Mr. Haddad said that they were planning to expand the size of the Inn and would be getting rid of all the other proposed buildings. He said that they need a height variance from ZBA of 4ft and would be before the Board on November 18<sup>th</sup>. He said that the Planning Board was reviewing the changes on November 19<sup>th</sup> and the Earth Removal Stormwater Committee was discussing the plan the next night.

Mr. Petropoulos said that he and Mr. Haddad were going to the high school tomorrow for something similar to shark tank. He said that they would be looking to bring a Sister City with Saipan to town meeting for support. Mr. Cunningham said that he thought they had a Sister City in Italy.

**MINUTES**

*Mr. Cunningham moved to approve the Regular Session meeting minutes of September 17, 2015. Ms. Eliot seconded the motion. The motion carried unanimously.*

*Mr. Cunningham moved to approve the Regular Session meeting minutes of September 29, 2015. Ms. Eliot seconded the motion. The motion carried unanimously.*

*Ms. Eliot moved to approve the Executive Session meeting minutes of September 29, 2015 and not release. Mr. Cunningham seconded the motion. The motion carried unanimously.*

*Mr. Cunningham moved to approve the Regular Session meeting minutes of October 5, 2015. Ms. Eliot seconded the motion. The motion carried unanimously.*

*Mr. Cunningham moved to adjourn at 8:32pm. Ms. Eliot seconded the motion. The motion carried unanimously.*

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

Stuart Schulman, Clerk

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respectfully submitted,  
Dawn Dunbar, Executive Assistant

Date Approved: 11/30/15