

**BOARD OF SELECTMEN MEETING
MINUTES MARCH 14, 2016
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 6:00pm and reviewed the agenda.

Mr. Petropoulos said that he received a lot of comments about their meeting last week adding they were going to do better as a board this week. He asked that everyone respect each other's opinions and comments.

ANNOUNCEMENTS

Mr. Schulman said that the Annual Taste of Nashoba was next week at Lawrence Academy.

Mr. Petropoulos said that he was holding selectmen's hours this weekend to talk about the budget.

TOWN MANAGER'S REPORT

1. Mr. Haddad said that the Conservation Commission had requested that the Board approve a Conservation Restriction for Baddacook Field/Shattuck Homestead (Martins Pond Road). He said that the original restriction was approved by the Board but with the recent change in the Governor's administration, the Town has been asked to make additional revisions and have it re-approved. He said that he provided the Board with a red-lined version and after reviewing it himself, didn't see any substantive changes. Mr. Tada said that this was granting a Conservation Restriction to the Trust. Mr. Cunningham asked if this was originally approved. Mr. Tada said that it had been adding these were standard language changes which were not unusual. Mr. Tada said that it was subject to change until it was recorded. He said that deed was recorded but not the restriction. Mr. Petropoulos asked if there was any reason they shouldn't sign this. Mr. Tada said no.

Mr. Cunningham moved to sign off on the new and improved Conservation Restriction for the Baddacook Field/Shattuck Homestead Property. Mr. Degen seconded the motion. The motion carried unanimously.

2. Mr. Haddad said at their last meeting, Mr. Degen requested that the Board amend the Charge of the Sustainable Budget Committee to remove individuals who are not residents of the Town and replace them with residents. He said that he provided the Board with an amended charge that removed the HR Director and replaced it with a member of the School Committee. He said that the Town Manager and the Treasurer were the only two remaining non-residents members. Mr. Degen said that the reason he proposed the change in membership was not because of the ability of employees to serve but because he believed that the taxpayers would be more conscious of budget sustainability adding that it would also eliminate any potential bias or possible conflicts of interest, not that there were any. He said he had no issue with employees that were also taxpayers serving. Ms. Eliot said that she had been giving it some thought and may not want to limit this to the Groton municipal spending growth. She said she would like to see it opened to town spending in general. She suggested that they take it back to the drawing board, not those already appointed, but make it a collaborate with school growth also. Mr. Cunningham said that he disagreed. Mr. Cunningham said that he did think the Town Manager and Treasurer should participate. He said that they had skin in the game and should have a say. He said they had seen the Treasurer save the Town a considerable amount of money and thought they would have a considerable offset of residents on the Committee. Mr. Petropoulos said that he was tempted to

constrain discussion to the resident part of the discussion because of what's on the agenda. Ms. Eliot suggested they put it on for a future agenda item but added she believed it was part of the scope. Mr. Degen said that the more he thought about it the more conviction he had for this suggestion. He said they should serve on the committee with the committee but not as voting members. Mr. Schulman said that that he saw both sides. Employees and residents both have skin in the game. He said he was not sure he felt terribly strong either way. He said that this was a motion to reconsider and asked if something else had come forward that was compelling to make them change their vote. Mr. Prest said that speaking as a Finance Committee member he thought it was a huge mistake not to have the Town Manager and Treasurer on this committee. He said that they both knew ins and outs of this budget and had great faith in both as members of the Committee. Mr. Petropoulos said that no one was suggesting they not have their expertise. Mr. Degen said he only suggested they not be voting members of the committee. Mr. Robertson said that the only issue to him was whether there was a conflict of interest or not adding that was not an issue. He said it didn't matter if a member was a taxpayer or not. Ms. Eliot said that a letter of disclosure would satisfy any potential conflict of interest. Mr. Robertson agreed adding that was his opinion though.

Mr. Degen said that he made a motion to reconsider and change the membership to nine (9) members, with the Town Manager and Treasurer not having voting authority on the Committee adding that the voting member of Committee would consist of taxpayers of the Town only. Mr. Petropoulos seconded the motion. The motion failed by a vote of 2-3 with SS/PC/AE against the motion.

3. Mr. Haddad said that he had drafted letters to be sent to Representative Harrington and Senator Donoghue. He said that if the Board found them to be acceptable he would get them in the mail tomorrow. He said that he incorporated the Superintendents comments and Manugian's material.

Mr. Schulman moved to accept these letters and send them. Mr. Cunningham seconded the motion. The motion carried unanimously.

4. Mr. Haddad said that Mr. Kevin Kelly would like to be reappointed to the Tennessee Gas Pipeline Working Group adding he had provided the Board with a letter from the Electric Light Commissioners. He said that their letter said his involvement in the committee was contingent on a unanimous vote of the Board adding that the Commissioners also didn't feel an apology was warranted. Mr. Schulman said that he would have reappointed Mr. Kelly to the Committee until he read the letter but was now opposed to it. He said that he had no problem with people expressing disagreement but storming out of a meeting was a different story. Mr. Cunningham said that he heard the sediment but thought that Mr. Kelly had brought a lot to the Committee. Mr. Degen said that he was a wealth of knowledge but didn't like the way the meeting went down. He said that he was willing to reappoint but not without an apology. Ms. Eliot agreed that he was a valuable resource.

Ms. Eliot moved to reappoint Mr. Kelley to the Tennessee Gas Pipeline Working Group. Mr. Degen seconded the motion. The motion carried 3-2 in favor with Mr. Schulman and Mr. Degen opposed.

Mr. Schulman said he would change his vote if Mr. Kelly apologized. Mr. Degen agreed.

5. Mr. Haddad said that the HDC had a vacancy adding that they had unanimously recommended that Peter Benedict be appointed to the Committee. The appointment would be good until June 30, 2018.

Mr. Degen made a motion to ratify the Town Manager's appointment of Peter Benedict to the Historic Districts Commission. Ms. Eliot seconded the motion. The motion carried unanimously.

6. Mr. Haddad said that First Parish Church had requested a one day beer and wine license for an Evening of Storytelling to be held on Saturday, April 2, 2016 from 7-10pm.

Mr. Degen moved to approve the request for a one day beer and wine license. Mr. Cunningham seconded the motion. The motion carried unanimously.

7. Mr. Haddad said that Salt and Light Bistro, formally Roots Café was requested two all alcohol one day licenses. One was for a private party to be held on March 19, 2016 from 6-10pm and one on March 25, 2016 from 6-10pm.

Mr. Cunningham moved to approve the two one day all alcohol license requests. Ms. Eliot seconded the motion. The motion carried unanimously.

8. Mr. Petropoulos said that the Town Manager's review had been completed. Mr. Schulman said that this was an interesting way of doing this review adding it didn't appear as though the Chair had done a summary but rather incorporated most if not all comments of Board members. He said that he noticed there was no way for the employee to rebuttal some of the comments in the review and didn't appear to be a process for that. He asked if that was the end of it. Mr. Petropoulos said that the employee saw everything that was said. Mr. Cunningham said he thought he would see a summary. He said that the ratings were there but a summary was supposed to be presented. Mr. Petropoulos said that they could adjust the policy next year but was pretty confident he met the policy. Ms. Eliot said that he had no problem with meeting the policy but thought if there were additional comments made by the employee, they should be able to review before releasing it to the public. Mr. Petropoulos said that any of that was open for discussion. Mr. Haddad said that he had nothing else to add. Mr. Degen said that Mr. Petropoulos eluded to condensing his comments more than anyone's and had no problem with that. He said that moving forward he would like to see the graded scores aggregated into a final number.

Mr. Schulman moved to accept the review of the Town Manager. Ms. Eliot seconded the motion. The motion carried unanimously.

9. Mr. Haddad said that he provided the Board with a red-lined contract as discussed. He said that the Board needed to decide whether they wanted to approve it or not. Mr. Schulman passed out a slightly modified spreadsheet based on their last Executive Session.

Mr. Cunningham moved to approve the contract. Mr. Degen seconded the motion.

Mr. Degen said he thought they talked about instituting a grievance procedure. Mr. Haddad said that none had been provided to him. Mr. Schulman said that Town Counsel was working on one. Mr. Petropoulos said he thought he sent it out to the group. Mr. Degen said that they should see that be inserted as it was something that was important to him and the Board. Mr. Haddad said that he had no issue with adding a grievance procedure. Mr. Degen said that he would also like to see actual contract without redlines. Mr. Schulman agreed that the redlined was hard to see. Mr. Petropoulos said that he had an issue on page 4 in the section about the car allowance and it being for use during work. He said that they simply said it was a car allowance. Mr. Schulman suggested cutting out that wording.

Mr. Degen said that he was on board during negotiations but was trying to follow the guidance of 2.2% all along. He said that the car was an additional salary. He said that his philosophy was to hold

any increase to 2.2%. He said that the extra vacation week didn't not cost them anymore as well as the extra personal day. He said there was nothing that could change his mind from his statement but thought he had negotiated in good faith. He felt as though they were over compensating the Town Manager for services. Mr. Cunningham pointed out that Mr. Degen wouldn't have voted for the contract regardless. Mr. Degen said that his vision was very different when they hired Mr. Haddad. He said that Mr. Haddad was very effective and brilliant with budget and team building but not what he saw in a leader of this town. He said regardless if he saw eye to eye this was not neutral to the taxpayers. Mr. Cunningham said that he would be terribly concerned with the Town being left in the lurch of finding a new Town Manager that has the same skillset they had come to expect. Mr. Schulman said that when he first came to Groton in the 1970s there was scandal in the Police Department; they were now in the best shape. He said that the morale in the Fire Department was excellent. He said that everyone loves Tom Delaney and the job that the Public Works department does. He said that IT didn't exist once and they now had a great department. He said that finance had been subject to a lot of discussions and up till now they've never had an override since having a Town Manager adding they had always returned money and taxed under the levy limit. He said that their issues were no different than any other town right now. Mr. Schulman said that the Town had improved over the last 7-8 years and the Town had benefited from the Town Manager form of government and thought it was hard to measure that value in terms of a contract. Mr. Petropoulos said that they acquiesced to the single largest increase in the Town Manager's salary history. He said that the Town Manager was not willing to abide by 2.2% guidance and they couldn't abide by it either. He said that they granted a 5+% growth to an employee who in 2015 created conflict and controversy. He said that they have a problem with compensation and had an opportunity to bring performance based incentives in this contract. He said they went back to terms that failed them in the past adding they couldn't sustain this. He said that he was tremendously disappointed by this board and the Town Manager. He said that as an elected official he couldn't approve this contract. Mr. Cunningham said that there was a motion on the table adding he was comfortable moving forward and signing when the final contract was presented. Mr. Petropoulos asked if they could make it provisional on seeing the final changes. Mr. Cunningham said that he would consent his motion based on discussions.

Mr. Petropoulos said that there was a motion on the table and asked for a vote. The motion carried 3-2 in favor with Mr. Degen and Mr. Petropoulos in opposition.

10. Mr. Haddad said that based on action taken by the Finance Committee at their meeting on March 8th, he had updated all the relevant FY 2017 budget documents. He said that he sent an email to the Finance Committee to reconsider one thing. He said that the Committee was looking for an additional \$15K in cuts adding he already cut \$4K out of the budget. He said that \$11K translates to one cent on the tax rate. Mr. Haddad said that after making the updates requested, the override requirement would be \$1,899,746; which would add \$1.21 to the tax rate with the average total tax bill going up \$712. He said that for every \$100K of value, the average tax bill would go up by \$121.

Mr. Haddad said that the Board had received several comments about the override question. He said that he ran the question by Town Counsel who had approved it. Mr. Haddad read the override question adding it would be printed in the warrant. Mr. Petropoulos asked if they had something that said what a yes or no vote would do. Mr. Haddad said that a yes or no vote would be written by proponents of each side. They draft it and then it would go to Town Counsel for approval. Mr. Petropoulos said that there were different variations of the budgets and override scenarios and thought they needed to keep this as simple as possible and be careful about how they relay information. Mr. Cunningham said that the other thing they needed to be mindful of was that the budget outcome had not been decided yet. Mr. Haddad said nothing was final until the Finance Committee sets the budget.

OTHER BUSINESS

Mr. Petropoulos said that there was an article in Sunday’s Globe a week ago that had to do with making due with less. He said it talked about how demographics were changing and how disposable income had shrunk. He said that Groton's population was aging and thought they needed to think about that in their decision making. He said he wanted to ask if they could determine what demographic was. Mr. Degen said that his takeaway was that this information would be valuable for Budget Sustainability Committee. He said they had been hearing for years that their senior population was growing. Mr. Petropoulos said that he was not looking for hard numbers to come out of this but that this was a national trend. Mr. Schulman said that there were great pressures on income and the population was aging.

LIAISON REPORTS

Mr. Cunningham said that the Council on Aging was working on their feasibility study adding that part of the process going forward was reviewing RFP's. He suggested that they hold a future meeting of the Board at the Senior Center. He said it would be an opportunity for them to see the facility and receive a presentation from them. Mr. Degen agreed.

Mr. Degen said that the Affordable Housing Trust would be coming in to provide their annual report to the Board on April 11th.

Mr. Schulman said that the Charter Review Committee would not be ready in time for the Spring Town Meeting. He said they were about 60% of the way through their discussions.

Ms. Eliot said that the Prescott Committee was putting the final touches on their report which was about 60 pages long.

MINUTES

Ms. Eliot moved to approve the Regular Session meeting minutes of February 22, 2016. Mr. Cunningham seconded the motion. The motion carried unanimously.

Ms. Haddad said that Steve Henderson had recently resigned from the Trails Committee and the Committee had recommended that Emma Newman be appointed to the committee and asked the Board to consider making that appointment.

Mr. Degen made the motion. Mr. Schulman seconded the motion. The motion carried unanimously.

Mr. Petropoulos adjourned the meeting at 8:06pm.

Approved: _____

Stuart Schulman, Clerk

respectfully submitted,
Dawn Dunbar, Executive Assistant

Date Approved: 4/4/16