

**BOARD OF SELECTMEN MEETING  
MINUTES APRIL 11, 2016  
APPROVED**

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

**Absent:** Peter S. Cunningham

**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. Green called the Finance Committee meeting to order at 6:00pm. Present were members Green, Pease, Hargraves, Manugian, Prest and Robertson.

**ANNOUNCEMENTS**

Mr. Haddad read a memo from the Chief of Police concerning ATV's.

Ms. Eliot said that she would be holding office hours on Thursday, April 21st at Clover Farm beginning at 8:30am.

Ms. Marlena Gilbert said that APEX would be offering babysitting services the night of Town Meeting beginning at 6:30pm.

**TOWN MANAGER'S REPORT**

1. Mr. Haddad said that he would like to request that the Board ratify his appointment of Ashley Doucette as a Cable Production Assistant. He said that they had hire someone not too long ago, but the person didn't feel as though the position was a good fit. Instead of re-advertising, they offered the position to the next qualified person adding they had received a number of applicants with good experience. The position was for 15 hours per week and would take effect the next morning should the Board ratify the appointment. Mr. Schulman said he thought it was great they had more than one qualified applicant.

*Mr. Schulman moved to confirm the appointment of Ashley Doucette as the Cable Production Assistant. Mr. Degen seconded the motion. The motion carried unanimously.*

2. Mr. Haddad said that as previously approved by the Board, they advertised the vacancy for a Payroll Coordinator/Assistant to the Treasurer/Collector and received 115 applicants. He said he appointed a search committee made up of the Treasurer-Collector, Assistant Treasurer/Collector and Human Resource Director along with himself. He said that they interviewed ten applicants and narrowed that down to three finalists who were then interviewed by the Town Accountant, Town Clerk and Executive Assistant. He said that based on this thorough process, he decided to appoint Vyctoria Pantano of Tyngsboro to the position. She is a graduate of Fitchburg State University and has good experience performing payroll for the Student Government Association and served as their Treasurer also. He asked the Board to consider ratifying the appointment that night. Mr. Schulman asked what the number of hours was. Mr. Haddad said it was a 35 hour per week position.

Ms. Eliot moved to ratify appoint of Vyctoria Pantano to the position of Payroll Coordinator/Assistant to the Treasurer/Collector effective May 2, 2016. Mr. Degen seconded the motion. The motion carried unanimously.

3. Mr. Haddad said that as the Board was aware, the Great Ponds Advisory Committee had presented a proposal to the Conservation Commission and Water Commission to apply Sonar to Baddacook Pond to eradicate weeds. The Water Commission objected to the use of chemicals near their water supply and denied the project. Based on this, the Great Ponds Advisory Committee went back to the drawing board and investigated other potential remedies with the Water Commission. He told them he enclosed in their packets a proposal from Aquatic Vision of Natick, MA to conduct a feasibility study for a plan that would utilize three basic harvesting methods, with variations, to determine the best ways for removal. He said that this would be a test in a small section of the pond to determine its viability. Basically, for depths less than 5 feet, a harvester will be utilized. For depths to the extent of the weed infestation, a combination of DASH and SASH will be used. DASH stands for Diver Assisted Suction Harvesting, while SASH stands for Surface Assisted Suction Harvesting. The only difference is that in SASH a diver may not necessarily be present at the end of the suction hose. He said that if this proved to be successful, a more formal proposal would be submitted to the Community Preservation Committee during next year's funding round for the entire pond. He said that the feasibility study would cost \$20,000. The Water Commission was willing to contribute \$4,000 for this study, with the Town needing to come up with the remaining \$16,000. He said that if the Board of Selectmen and Finance Committee were in agreement, he would propose a line item transfer at Town Meeting to pay for this. Mr. Haddad said that he met with Mr. Luening from GPAC and Mr. McCaffrey of the Water Commission along with Mr. Orcutt and thought this effort showed great cooperation between all parties to come up with a solution they could all agree upon to solve this problem. He asked the Board to support this request that evening and to consider this line item transfer at Town Meeting. This agenda item was continued until later on in the meeting.
4. Mr. Haddad said that he had provided the Board with a summary of Executive Session meeting minutes from February 25, 2008 through April 8, 2013. He said that these were minutes that had been approved by the Board but not released. He said that he was not recommending, at this time, that any of the minutes be released as most of them had to do with Personnel Matters. He said that Town Counsel had previously reviewed these minutes and had the same opinion when reviewed. Mr. Petropoulos said that it was good to review them a couple of times a year based on their policy. Mr. Petropoulos suggested adding a column that says never released.

#### **AFFORDABLE HOUSING TRUST - ANNUAL REPORT**

Mr. Degen said he was stepping down as Board of Selectmen member to present as a Trust member. Mr. Schulman stated that he was also member of Trust.

Mr. Degen said that this was a two part presentation. He said that the Trust would be making their report and Fran Stanley, Housing Coordinator was going to be providing the Board with some information also. Mr. Degen said that the Trust was created in 2008 at the Fall Town Meeting. He said that it allowed for the creation of affordable housing by individual groups of trustees in lieu of 40B housing. He said that the Trust was adopted in 2010 and five trustees were appointed; Mr. Degen, Mr. Schulman, Ms. Julien, Mr. Dunn and Mr. Wilder. He said that at that same time, Mr. Bob France came forward with a proposal to save the Kilbridge Antiques Building located at 134 Main Street. He said that the proposal was to have housing and commercial space in the old antique building and a new development constructed at the rear of the property. He said that the Trust came forward with a CPC application in 2011 for \$412K in which they invested \$400K. This made them 1/3rd investors with Mt. Laurel Development in the project. He said that there were three affordable units within the project adding that the project was really moving along.

Mr. France introduced himself as Manager of Mt. Laurel Development. He said that 45% of the project was sold with 55% of it having been constructed. He said that there were six market rates units available and all three affordable units were also available adding that there was also one commercial space left. He said that they had sold \$5.4M in real estate, paid \$158K in connection fees and taxes to the Town and added that \$108K in taxes per year is what would be generated by the project once completed and sold.

Mr. Degen said that they invested money through an investor agreement and as part of that a full accounting would be done at the end of the project. He said they would receive a return on investment plus money invested. Mr. Petropoulos asked if they had a sense of timing. Mr. France said that the average sale was running about 1 every 2 months. He said that they lost some momentum last year. He said that they ran out of inventory due to restraints on finances. He said that they were gaining momentum again adding they had one under agreement to close the end of July with another one under reservation. He said it was their hopes to have all units under agreement at the end of the summer.

A resident asked what the asking prices were on the affordable units. Ms. Stanley said that the 1-bedroom was \$126,200 plus a condo fee of \$205; the 2-bedroom was \$181,600 plus a condo fee \$112. Mr. Petropoulos asked if there were other projects in the pipeline. Mr. Degen said they didn't have enough funds to do another project at this time. Mr. Hargraves said he anticipated that the Town would have their money in the bank. Mr. France said that it was all subject to the final accounting adding he would provide updates as they proceed. Mr. Hargraves said that it was a lot of money and asked if there was any idea when they would be completed. Mr. France said that it all depended on sales. He said that he initially thought they would be done spring 2015 but couldn't project that at this point.

Ms. Stanley said that they of the 3,900 year round housing units, 10% of that housing stock should be affordable. She said that was hard to do without sewer ad money from the government. She said that Rivercourt accounted for some of their affordable units. She said that other affordable units could be found at Groton Commons, Winthrop Place, Boynton Meadows, Reedy Meadow, and Academy Hill. Ms. Eliot said that the Planning Board had been very proactive when it came to affordable housing adding it was a hard hill to climb. Mr. Schulman said that there was housing available adding that the requirements set by the state were strict. Ms. Stanley said that there were some state and federal regulation changes coming down the pike but that it was moving slowly. Mr. Schulman said that they were at a disadvantage because Groton was considered well to do. He said he wished they could find more rental units to help them achieve their goals adding that rental units was something that was in demand. Mr. Petropoulos asked if they would receive relief from something if they were to reach 10% affordable units. Mr. Degen said that they would receive relief from 40B. Mr. Petropoulos asked if it was reasonable to think they might get there. Mr. Degen answered "yes and no." Mr. Burke said that receiving approval under flexible development was an incentive for developers. They just needed to elect to have some of their units qualify as affordable units. Mr. Degen said that if they were to continue along with trends, every time they take a step with market rate units they were talking a small step towards affordable inventory. Mr. Schulman said that they have an affordable housing plan that says they will work to grow at a certain pace every year.

#### **TOWN MANAGER'S REPORT**

5. Mr. Haddad said that he wanted to return to the Baddacook Pond weed discussion. Mr. Degen asked if the money could come from free cash and not through a line item transfer. Mr. Haddad said that the amount came after the warrant had closed adding that it would have been subject to Town Meeting approval. He said that this would have no additional impact to the tax payers. Mr. Haddad said that it was money within the operating budget that could be used. He said that it was coming from the Communications budget adding grants had freed up money that was appropriated. Mr. Degen said that he heard Mr. Luening said that they would like to test this method on 15 acres. Mr. Luening said that it was about 15 acres. He said that they were requesting permission to treat 15 acres but hoped to only test 10 acres. Mr. Degen said he thought there was about 35 acres of weeds that had to be treated and thought this was a great approach. He asked if they had looked into the success of this from other communities. Mr. Luening said that the company they wanted to use had been doing a form of this for 20 years. He said they hadn't done this exact process adding that a harvester would go along the shallow areas and skim the roots out. Mr. Degen said that once they completed the test area, he asked

how long it would be before they asked for money to do the entire pond and what the proposed funding might be. Mr. Luening said that the cost to do the entire pond was around \$80K with the source of funding be through a CPC application. Ms. Eliot asked if the Water Commissioners had met. Water Commissioner Mr. Jim McCaffrey said that they were unanimously in favor of this and also voted to contribute \$4K towards this project. Ms. Eliot asked where the weeds went after they were suctioned up. Mr. Haddad said that they were working with the Highway Department to bring as much of it as they could to their mulch pile. Mr. Green asked what the costs on the town side would be. Mr. Haddad said that there would be trucking costs.

Mr. Schulman said he thought it was great to see the two sides on the same page and hoped it worked. Mr. Petropoulos said that he was very disappointed that this had been brought in front of them that night. He said that they scratched and clawed to come up with a couple of hundred dollars to give to the schools and now at the last minute there was a request to do this. He wondered why an out of cycle request for CPC money was not being pursued and thought they should be prioritizing what they spend money on at this time. He applauded the Commissioners and the GPAC for getting back butting heads but wasn't clear what the numbers were at Baddacook and what the benefits were to getting the weeds out. He said that he has seen the weeds adding that some of the people bringing in the weeds were people that didn't even live in their town. He said he was very concerned about spending money in the face of their financial situation. He said that he was opposed to this project for a number of reasons. Mr. Haddad said that the CPC had just completed their FY17 funding cycle adding that the GPAC wanted to apply during next year's funding cycle but wanted to first see if this pilot program worked. He said he thought the project made a lot of sense and the reason why he brought it forward to the Board. He said that this would not have an impact on the FY17 budget adding they would use current FY16 budgeted money.

Mr. Robertson said that he was concerned just like Mr. Petropoulos. He said that they went through a lot of soul searching to not put things in the budget adding he thought they had a good budget. He wondered why this was not in the que and if it was wondered if there was something they would have voted on differently if it was proposed during the budget process. He did not think it was part of a good budget process and something that should have been budgeted for in the FY17 budget cycle. Mr. Petropoulos said that voters were interested in how this benefited the rate payer. Mr. Gmeiner said that GPAC was an advisory committee to the Board adding that the Commissioners had a long history of trying to resolve the weeds situation. He said they felt it was wise to study this using some rate payer money adding it was a solution that did not use herbicides. He said that GPAC had spent a lot of time working on this matter and a resolution adding this was the time to get it done. He said he thought it was disingenuous to say this was something new. Mr. Petropoulos said that no one had heard about this until their last meeting. He said that weeds were not new but the request was new. Mr. Prest said that this was something they had been working on for 4-5 years adding that the wagon kept getting pulled out from underneath them. He agreed that GPAC was advisory to the Board adding that the Board had not listened to them. He said that they had a resolution that the Water Commission was in favor of and was pretty upset with the discussion.

Mr. Luening said that there were only a few people that lived on the pond unlike Lost Lake but it was the largest natural pond in Groton. He said that they were in danger of losing this natural resource because they were not able to maintain it. He said that the weeds were impacting fish and wildlife, and it was becoming a safety issue citing drowning by weed entanglement as an issue they had been warned about. Ms. Horowitz said that she had been a member of GPAC since its existence. She said that Baddacook was a resource for the town adding that petrification would make the area a swamp. She said that would in turn affect the watershed for the well thus putting the well in danger. She said

that with GPAC and the Water Commissioners on the same page, she thought the Board should take this up while it was happening. She said that non-budgeted items come up every year. Mr. Degen said that he was a big advocate for sonar application and was not disputing that there were weeds out there. He said that he supported education of the weeds in the lake but questioned how they pay for it. He said he too thought it was wonderful that everyone was on the same page but was concerned about funding it. Mr. Degen questioned the money being returned to free cash from the Communication grant and wondered why they didn't know about it when they were scrubbing the budget. Ms. Dufresne said that it takes a long time adding that they were just attending to FY14 grants this year at the Spring Town Meeting.

Mr. Prest expressed his frustration with the discussion again and stated that he was going to bring in a personal check for \$14K the next day to fund this as a gift to Baddacook.

6. Mr. Haddad said that he receive an email from the Board of Health the week before on a matter they were interested in moving forward. He said that they wanted to place an article on the warrant but didn't do it in a timely manner. Ms. Horowitz said that there was a brand new company that they discovered within the last six months that offered different programs for mosquito control and wanted to request funding for it. Mr. Degen said that he thought this would be a great thing to do but couldn't support this outside the warrant. Mr. Schulman said that he was more interested in tick control at this point instead of mosquitoes. Ms. Horowitz said that this company was working to control ticks also. Ms. Eliot asked if they would capture mosquitoes. Ms. Horowitz said that they would and also the same for ticks. Mr. Haddad said that the request was for three mosquito traps. Mr. Schulman said that a last minute request was not a good idea. Mr. Petropoulos said that Town Meeting had approved some measure of spraying. Mr. Green said that it was testing and monitoring control with spraying on request. Mr. Haddad said that it was not a long term commitment like Mass Mosquito.
7. Mr. Haddad asked if the Board had any issues with the article assignments. Mr. Degen said he did not want to present the pipeline article. Mr. Petropoulos said that he would do it.
8. Line Item Transfers: Mr. Degen said that he was against the BOH's request. Ms. Eliot said that she was also against it. Mr. Petropoulos and Mr. Schulman were against it too.

Mr. Haddad said that he did not budget the Lt.'s Quinn Bill payment (Quinn Bill is money paid to police officers for obtaining certain levels of education) in FY16. He said that the payments are made in arrears and was a mistake on his part. Mr. Degen asked why they were not using free cash. Mr. Haddad said that they had money available in the current operating budget to fund this and didn't feel they should use free cash. Mr. Degen said he thought it made sense to move money as Mr. Haddad explained and supported this. Ms. Eliot, Mr. Petropoulos and Mr. Schulman were also in support of this.

Mr. Haddad said that he sent out a breakdown from the Police Chief on monies needed in Police Wages. Ms. Dufresne said that the money was needed to cover an \$800 detail for a Four Star General that visited the Groton School, sick time and overtime for sick time coverage, the DARE program and the SRO who was using more money than expected. She said that it was her understanding that the SRO was expected to come in early and stay a later than expected during school drop off and pick up times.

Mr. Petropoulos questioned the \$800 cost to cover a Groton School detail and why the Groton School wasn't being billed for it. Mr. Schulman said that they had employees to make decisions like security for a General and thought it was insane that Mr. Petropoulos was making a big deal out of everything

expense related that came up. He said that the Police Chief was the one who made decisions relative to security. Mr. Petropoulos said that he thought it was reasonable to ask on behalf of the taxpayers why they were paying for security for a Four Star General. Ms. Eliot said that she appreciated the service the Four Star General had given to this country. Mr. Degen asked how much of the \$26K was attributed to overtime. Mr. Haddad said that all of it was for overtime. Mr. Degen said that the Chief had a budget that he needed to operate within. He said that they had done line item transfers year after year and added that they just adjusted the Police budget two years ago. He said that they had a great department but it was not whether you appreciated the General or not, it was about fiscal responsibility and accountability. Mr. Haddad said that they fully funded the budget last year with no need to request additional funds. He said that this year it was unforeseen things that are causing them to require additional funds. Mr. Haddad said that this was the first year for the SRO adding they really had no idea what needs it would bring. He added that a winter bug went through the department which forced shifts to have to be covered by overtime. He said that this was something that was unforeseen adding that the Police Chief does a great job managing his budget.

Mr. Green asked if as far as the SRO was considered, could they tell the schools they have a certain amount allowed and maybe ask that they pay for any overtime. Mr. Hargraves said that he wanted to make sure the SRO wasn't being used when a staff member should be used. Ms. Marlena Gilbert said that there were teachers there getting kids on the bus and for traffic control. Mr. Pease asked if additional overtime was budgeted for in the future. Mr. Haddad said that they increased overtime in the FY17 budget where they saw issues.

Mr. Schulman and Ms. Eliot were in support of this line item transfer. Mr. Degen was at Town Meeting. Mr. Petropoulos asked what portion could be controlled without jeopardizing public safety. Ms. Dufresne said that this accounted for everything they were anticipating. Mr. Petropoulos said that he would like to understand how this was being tightly managed. Mr. Degen said he would like to see them send a letter to the Groton School also about money for the Four Star General.

Mr. Haddad said that \$30K was needed in fire wages; one firefighter was out for 3½ months because of a fire related injury and another one was out for two months. He said that the Chief had filled in admirably when coverage was needed. Mr. Petropoulos asked if per diem members had filled in. Mr. Haddad said they had. Ms. Dufresne talked about 111F and how that was covering some of the injury related expenses. Mr. Degen said that it was a good explanation. He also said that this was a small department and unforeseen circumstances. The Board unanimously supported this.

Mr. Haddad said that they were also looking to take \$10K from Highway wages and use it to update a piece of equipment now instead of waiting until July 1 adding that this was budgeted for in the FY17 budget. Mr. Degen said that the Highway Department had a fleet of mowers adding that one mower should be replaced now. He said that small equipment like this were not part of the capital plan. Ms. Eliot said that these mowers were considered as part of the ongoing budget. She said that this purchase would occur on May 1st instead of July 1st. Mr. Haddad said that these wages would ordinarily have been accounted for but they had a Highway employee out for three months. Mr. Haddad said that Mr. Delaney was provided with a minor capital budget number every year that he needed to work within and was not suggesting they cut his budget by this amount next FY. Mr. Petropoulos said that he saw this as he did before and was another example of not spending money just because it was available. Mr. Haddad asked why they should not take care of the need now. Mr. Petropoulos said that the need was budgeted to be taken care of in July as part of regular budget planning. Mr. Haddad said that they had the opportunity to take care of a need now adding that budgets were getting tighter and tighter. Mr. Schulman said that if Mr. Delaney decided to not buy the mower and spend this on something else

they wouldn't be hearing about it. He said that they were only hearing about this because it was moving money from one line item to another. Mr. Manugian said that he supported this as he thought that within public works, wages and equipment could be interchangeable and thought that flexibility was important. Mr. Degen said that he didn't see this as a new initiative like the Baddacook and mosquito requests. He added that Mr. Delaney does a nice job with his budget and he understood his needs and he supported this. Mr. Petropoulos agreed that Mr. Delaney does a nice job with his budget. Ms. Eliot said that she supported this request. Mr. Petropoulos could not support it. Mr. Schulman also supported the request.

Mr. Haddad said that the Board had approved earlier in the month \$3K so that the Club could be opened earlier than anticipated due to the mild winter. He said that revenues had already exceeded the expenses by opening early. Mr. Shawn Campbell said that they were looking for a \$6,884 line item transfer to cover an FY16 payroll error. Ms. Dufresne said that the first payroll needed to be split because of wages and salaries and two cells were switched on the excel spreadsheet causing this error. She said that the Country Club turned back money to free cash that should have been expensed the previous FY. Mr. Campbell said that they increased the hours of operation at night - in an effort to increase revenue adding they were ahead \$81K from FY 15 to 16. Mr. Haddad added that cart revenue was up \$10K also. Mr. Schulman said that cart revenue was something they were concerned about before Mr. Campbell was hired.

The Board unanimously supported these requests.

Mr. Degen asked about prior year bills. Ms. Dufresne said that they were getting closer to the final number for Sprague and National Grid.

Mr. Degen said that he looked at the retaining wall at the Library and thought it was ludicrous to repair a wall that has a crack from the top to bottom. He said that the cost for to replace the wall would be within \$5K of the estimate given to repair it. He said he thought it was foolish to repair and added he would support replacing it provided they have an estimate to replace it prior to Town Meeting. Mr. Petropoulos asked what the urgency was to get this done. Mr. Haddad said that they were afraid the wall was going to collapse. Mr. Degen agreed adding they just didn't know and would be concerned if he was a neighbor.

Mr. Haddad said that the Police Chief had withdrawn his request for a boat. Mr. Haddad said that they would still be requesting a boat adding that the \$16K needed would come from ambulance receipts. Mr. Degen said that this was a great compromise adding he understood the concerns about regular patrols. He said he would support this. Ms. Eliot said she would abstain adding it related to the Fire Department. Mr. Schulman supported this. Mr. Green expressed concern for water rescue training adding that Fire Departments aren't adequately trained on water rescue. He added that he would speak with the Chief about this. The Board was 3-0-1 in support.

#### **OTHER BUSINESS**

Mr. Gary Doyle a resident of Reedy Meadow Road asked about a letter he had sent relating to buses using his road as a throughway. Mr. Haddad said that he had spoken to the GD Business Manager, DPW Director and Police Chief about this adding they were looking into this matter. Mr. Degen said a truck exclusion was a long process. Mr. Doyle said that they had been working on this for months and putting up with it for years and was not happy to hear this would take longer. Mr. Petropoulos said that there was a process for doing this adding it wasn't going to be dealt with that night. Mr. Haddad said that the office just received the letter on Friday and had already started looking into it. Mr. Degen said that he had driven down this road many times and agreed it

was extremely dangerous. He said that the easiest solution would be to work with the Town Manager who will work with the Superintendent and Bus Company. Mr. Schulman agreed adding it sounded as though Mr. Haddad was already working on it.

**LIAISON REPORTS**

Ms. Eliot said that she attended the Charter Review Committee meeting where they were proposing that the Finance Committee be appointed by the Chair of the Board of Selectmen, Chair of Finance Committee and the Moderator. She said that this was an important change that warranted a bigger discussion. Mr. Degen said that he liked the recommendation adding he would have no problem discussing it. He added that they would have that opportunity when the recommended changes come to them prior to Town Meeting. Mr. Schulman said that he voted against it when it came up. He said that the Moderator should not be turned into a political position. He thought that if they started giving the Moderator appointment powers they would be changing the role. He said that their Moderator values the roles and objectivity he had. Ms. Eliot said she would like to know what was broken about the way they do things.

Mr. Degen moved to adjourn the meeting. Mr. Schulman seconded the motion. The motion carried unanimously.

Approved: \_\_\_\_\_  
Stuart Schulman, Clerk

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

Date Approved: 6/6/16