

**BOARD OF SELECTMEN
EXECUTIVE SESSION
MINUTES MAY 2, 2016
APPROVED & RELEASE**

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

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

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

Mr. Cunningham moved to enter into Executive Session pursuant to MGL c.30A, §21, Clause "To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel." – Police Chief's Contract. Mr. Schulman seconded the motion. Roll Call: Cunningham-aye; Degen-aye; Eliot-aye; Petropoulos-aye; Schulman-aye

Mr. Cunningham said that he and Mr. Haddad met with the Chief last week who expressed strong feelings for being underpaid. He said that the Chief feels as though he was doing a good job bringing the department along. He said that the Chief made it clear that if the Board's offer was not in the neighborhood of what he was looking for he would consider moving on.

Ms. Eliot said that they should talk about health insurance and about putting the same split on that table that they did for the Town Manager. Mr. Petropoulos thought it was a waste to have traded the Town Manager's salary in exchange for an increased health care contribution, that it did not accomplish anything meaningful to our budget, and didn't feel they should do it again. Mr. Degen said that it set the table for future negotiations with other employees and did not think it was a waste. Mr. Cunningham said that they would lose the Chief if they were not in the neighborhood of what he was asking. Mr. Degen asked where they were currently. Mr. Haddad said that they were at \$126,500. Mr. Degen asked if Quinn was included. Mr. Haddad said that they incorporated it in his last contract. Mr. Degen asked where the Chief was looking to be at. Mr. Haddad said \$137k. Mr. Degen said that was a 9% increase adding he thought it was awful rich. Mr. Haddad said that they needed to look at where the department was now compared to before the Chief started and ask themselves what they were willing to pay. He said that they also needed to consider the costs associated with searching for a new chief. Mr. Cunningham said that they might need to stretch a little but was not sure he wanted to stretch that much. Mr. Cunningham added that Chief Palma was highly regarded in the community and had been good for the department and town. Mr. Petropoulos said that everyone was replaceable and couldn't be afraid of that. He said that they needed to manage their budget. He said that the Chief's salary was in line with other communities adding they were not in a financial position to increase the salary that much. Ms. Eliot argued that it sounded like Mr. Petropoulos did not want to keep the Chief then. Mr. Petropoulos said that that was not what he was saying.

Mr. Schulman asked Mr. Petropoulos what he was suggesting. Mr. Petropoulos said that he would propose a 2% increase and a performance incentive for meeting objectives. Ms. Eliot said that the Chief would have received a bonus and more with how he cleaned up the department and thought this was their way of recognizing those accomplishments over the years. She added that Mr. Petropoulos might not know the history of the department prior to Chief Palma being hired. Mr. Haddad agreed with Ms. Eliot. Mr. Degen said that there was no question the change had been night and day but did not think the magnitude of the requested raise held water with him. He said that if they stuck with the 2.2% used for budgeting, that would bring him up to \$129K in FY17; \$132K in FY18; \$135K in FY19. He asked where the Chief wanted to be at the end of his contract again. Mr. Haddad said \$140K.

Mr. Schulman suggested they offer something that would get him to \$140K at the end of 3 years. Mr. Haddad said that would be about 3.6% a year. Mr. Petropoulos said that they shouldn't be basing someone's salary off what they asked for. Mr. Degen said that he could see some consistency with a 4%/3%/3% over the three year contract which also worked out to \$130K/\$135K/\$138K over the three years. He said that for the record, he would like to see them stay at 2.2% adding that the average salary from the salary survey was \$128K. He said he would be ahead of that by the end of year one. Mr. Petropoulos said that they needed to draw a line where they wanted to be not what they wanted to offer. Ms. Eliot said that she thought if they did that, they would lose him. Mr. Haddad pointed out that the Chief was eligible for retirement now. Mr. Degen said that he wanted to keep the Chief but didn't want to price

themselves out of what they could afford to pay. Ms. Eliot said she thought they should be looking at the population of the comp towns. Mr. Schulman said that surveys could be drawn anyway you wanted to. Mr. Haddad asked what the Board wanted him and Mr. Cunningham to bring back to the Chief. Mr. Degen suggested 2.2% and a bonus for meeting performance goals. Mr. Haddad asked if the bonus would be in his base or a one-time payment. Mr. Petropoulos said he would like to see them offer 2%. Mr. Cunningham said that as a side note, he wanted to ask the Board on behalf of the Chief to talk to him prior to questioning the day to day operations and decisions the Chief makes at public meetings when he is not present to defend himself. Mr. Schulman said that he was willing to go along with Mr. Degen's proposal to put something on the table and see where they end up. He thought it was a reasonable opening position. Mr. Degen said that if they started with 2.2% in year one and if he hit his overtime goal, as an example, he would have no problem giving the Chief a \$5K bonus. He said he would also be okay with the same in years two and three which would get him just north of \$140K. Ms. Eliot said she would consider that except she would up the original increase adding they got him as a bargain as a new chief. Mr. Petropoulos said that the salary survey showed they were comparable to other towns. Ms. Eliot said she knew that adding that she also was aware that Mr. Petropoulos wasn't willing offer the Chief anything. Mr. Cunningham said that year one with a performance incentive would get the Chief to \$130,295. Mr. Schulman said it not only got him thee but figured to be about a 3% increase. He said he was a little unclear if this was their final offer. Mr. Haddad said it was not adding that he and Mr. Cunningham needed a place to start.

Mr. Cunningham asked about the performance pool. Mr. Degen said he would be willing to go up to \$5K and not have it added to the base. The objective would be to control overtime. Mr. Cunningham pointed out that the Chief had been able to manage grievances which was a huge cost savings.

Mr. Petropoulos said he didn't want to over 2% and thought they should establish an end point. Mr. Schulman said that Mr. Petropoulos had made that point clear and didn't sound as though the other four members were in agreement. Ms. Eliot said that they should not offer the Chief less than they gave Mr. Haddad.

Mr. Schulman moved to adjourn to Regular Session at 5:56pm. Mr. Degen seconded the motion. Roll Call: Cunningham-aye; Degen-aye; Eliot-aye; Petropoulos-aye; Schulman-aye

Approved: _____
Stuart Schulman, Clerk

_____ respectfully submitted,
Dawn Dunbar
Executive Assistant to the Town Manager

Date approved: 7/25/16

**BOARD OF SELECTMEN MEETING
MINUTES MAY 2, 2016
APPROVED**

Members Present: John G. Petropoulos, Chair; Anna Eliot, Vice Chair; Stuart M. Schulman, Clerk; Joshua A. Degen, Member; Peter S. Cunningham, 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 adding that they had just concluded an Executive Session to discuss the Police Chief's contract negotiations.

ANNOUNCEMENTS

Mr. Haddad said that Mr. Schulman would not be present next Monday adding this would be his last meeting. He said that he put together a proclamation as requested by Mr. Cunningham that he would like to read. The proclamation proclaimed May 2, 2016 as Stuart M. Schulman Day. Mr. Schulman thanked the Board and Mr. Haddad adding he enjoyed his time as a selectmen.

Mr. Haddad said that they needed to put out information to the voters to about the ballot question. He said that he had drafted an information packet for the voters which needed to be mailed to the voters 10 days before the election. He said that Town Counsel had wrote the negative argument as no one provided suggested language and APEX provided the positive vote language. He thanked Mr. Doneski, Mr. Bouchard and Ms. Dunbar for their help in putting this together. Mr. Degen said that he was contacted by Alan Hoch who received the ballot questions wording in the Electric Light newsletter. He said that the wording did not say anything about the override increasing prop 2 ½. Mr. Haddad said that the override question was vetted by Town Counsel and came directly from MGL.

Mr. Degen said that the Pages for Peace book was at the Prescott School and thought people should check it out.

Mr. Cunningham said that Saturday the 7th at 1:30pm was the Arbor Day celebration. Mr. Degen said he would be interested in presenting the proclamation.

Mr. Petropoulos said that the plant sale was that weekend. Ms. Eliot said it was going to be at Town Hall. Ms. Connie Sartini added that it was going to be held between 8am-12pm.

PUBLIC COMMENT PERIOD

Ms. Ellen Baxendale said that she had trouble finding the Black Box Theater the other day and thought there should be more signs. Mr. Petropoulos said that signage within the schools would be up to the schools but signs on the streets would be the Town. Ms. Becky Pine added that the signs at the high school were not visible at night either.

TOWN MANAGER'S REPORT

1. Mr. Haddad said that the Prescott Committee had drafted a charge and to do list which they discussed with the Board on April 20th. Mr. Sheldon said that they discovered a technical issue with appointing four members from non-profits and suggested that they reduce that number down to two. He said that the total number of members would be five not seven.

Ms. Eliot said that she had a number of comments adding she was very concerned about their recommendations and possible outcome of this. She said that she thought this was something they should be scrutinizing given the budget discussions. She said that they were assessing the need for a

new Senior Center and thought that should take priority. She said that she felt as though they were completely ignoring their budget issues and shouldn't be looking to be tenants of a building. She said that she would like to ask the Finance Committee and Budget Sustainability Committee to look at this proposal before they take action. She said that she thought the Prescott Committee had worked very hard on this report but added that the people originally appointed to committee were no longer serving. She said that the Committee was mainly made up of Friends of Prescott members. She said she thought this was a major money pit adding that the money should be directed towards helping the schools. Ms. Eliot said that the charge was for a community center and she was not in favor of creating a community center. Mr. Petropoulos asked Ms. Eliot if she would you like the Board to reconsider the recommendation of the Committee. Ms. Eliot said yes adding they had not met on it yet. Mr. Petropoulos said he would be glad to schedule an agenda item to reconsider it but wanted to get through the charge that night.

Mr. Degen said that he did not like the proposed name of the Committee. He said that a community center implies it's only for community use. He said that he shared Ms. Eliot's concerns about sustainability. He said that the funding mechanism needed to be from somewhere other than the municipal budget and any CPC applications would require the Board to be the applicant. He added that Town Meeting would be required to vote to accept an application every year money was requested. Mr. Cunningham said that he agreed with Mr. Degen that the name should be changed. He said that it was clear that there was room to have mixed used at Prescott but wanted to see that emphasized. Mr. Schulman said that an item he would like added to the charge was to develop a business plan. He wanted to know how they were going to make this work. Mr. Petropoulos said that the charge implied they had chosen a non-profit organization before the committee was formed and thought it should be the other way around. He said that needed to figure out how to choose those entities. Mr. Haddad said that they would have to do an RFP. Mr. Sheldon said that they would work with the Town Manager to come up with RFP and look to appoint a committee in July after the RFP. Mr. Petropoulos asked about a legal entity. Mr. Haddad said it depended on how they draft the RFP and the 501c (3) status.

Ms. Manugian asked what the school districts involvement was moving forward. Mr. Sheldon said that he had a conversation with Mr. Stanton and Dr. Rodriguez and was trying to get in to see her now that Town Meeting was over. Mr. Sheldon said that phase one was planned to have \$165K in specific upgrades with the work occurring over the summer. He said that the next phase was to bring the building up to code by the end of next summer. Ms. Manugian said that she was concerned as an individual about there being a decade of construction. Mr. Petropoulos said that the school district might not find the way they are being envisioned as acceptable. Mr. Platt said that it was the Committee's desire to enter into a long term lease with the school district. He said that they would discuss construction disruptions during those negotiations so as to make the construction livable. Ms. Eliot asked how much CPA funding could be for the senior center. Mr. Cunningham said that the feasibility study was not being funded by CPA funds. He said the study would be concluded by the fall at which point they would have answers as to how Prescott may fall into that. Mr. Haddad said that Ms. Eliot was trying to see how they planned to pay for this down the road. Ms. Pine said that their report showed a concept plan with a senior center. Mr. Petropoulos said that they decided as a Board that they wanted to move forward with this charge. He asked that the charge include a representative of the School Committee. Mr. Haddad asked if they should they be on the Committee adding that every tenant would want a seat. Mr. Petropoulos said that he saw a conflict and a benefit to it adding they should have some voice and be considered. Mr. Sheldon said that he thought it was better for a tenant to have an arms interest. He added that they were recommending the appointments be for five years. Mr. Degen suggested one year appointments. Mr. Cunningham said he thought

maybe two years. Mr. Degen suggested staggering them like they do with other committees. Ms. Pine said that they would be able to apply for grant opportunities if they have a member of non-profit on the Committee.

Ms. Eliot reiterated her desire for the Finance Committee to have an opportunity to weigh in on the charge. She added this was the first night they were seeing this adding it was the Board's policy to not vote on things the first night. Mr. Petropoulos said that they had already accepted the recommendation of the Committee. Mr. Cunningham said he didn't see anything mutually exclusive here adding he thought the Finance Committee might be interested in seeing the business plan. Mr. Degen agreed with Mr. Cunningham adding he would like to see the charge come back and be specific.

2. Mr. Haddad said that the Charter Review Committee and others had questioned the waiving of Passport Fees by the Town Manager. Mr. Haddad reviewed the passport process with the Board. He said he didn't know why this was being brought up adding they had not received any complaints in the five years that his office had been doing them. He said that they probably waives between 10 and 15 fees over those five years. Mr. Petropoulos said that the explanation had been given adding they learned it was common in other towns also. Mr. Haddad said that the Town Clerk's office also did it. Mr. Petropoulos disclosed that his children didn't have to pay the town fee adding that when he found out, he came in and talked to the Town Manager. He said he thought it was a reasonable idea adding they now had an opportunity to discuss whether they want to continue this process or not. Mr. Degen said that he didn't know the policy existed until five weeks ago adding he had no idea that his own passport fees along with his families' fees were waived. He said that he would go with whatever the Board wanted to do adding he had no problem paying the fee. He said it was a nice little perk but could go either way. Mr. Cunningham said he didn't think it was a significant amount of money. He said that this was a little perk for employees adding a lot of other jobs give their employees perks. Mr. Schulman said that the Charter Review Committee had made the suggestion to the Board that fee waivers be a public discussion by the Selectmen. He said that this was just an example of that adding that no one was suggesting anything was going on with passport fees. He said he was in favor of keeping it adding it was a nice perk. Mr. Jeff Gordon said he thought it was ridiculous that they were having a discussion about this. He said it was clearly a perk of being an employee of the Town. JP – people just want full disclosure. Mr. Bruce Easom said that it didn't surprise him the Board hadn't received any complaints. He said it was a benefit for employees that had been kept quiet. He said that he thought employees should pay the fees like anyone else adding it was an issue of basic fairness. He also questioned why the fees should not be waived for elected and appointed officials adding the best thing to do was not draw a line and make everyone pay the fee.

Mr. Cunningham moved that they continue with the current policy of waiving passport fees for employees as it exists. Ms. Eliot seconded the motion. The motion carried 3-1-1 with Mr. Degen abstaining because he benefited from this policy and Mr. Petropoulos voting against it.

3. Mr. Haddad said that he wanted to review the third quarter financial report with the Board. He said that they were in even better shape now than they were in the second quarter adding that a lot of things like revenues were up to 75% and right where they should be. He said that expenditures were low in some areas and ahead on others noting that there would be some shortfalls in public safety that would be addressed at Town Meeting as discussed.
4. Mr. Haddad said that he wanted to review where the Board and Town Manager stood on their goals and objectives. He said that:

- a. The Charter review was ongoing.
 - b. The relationship with the non-profits had gotten off on a good start. He said that they had had three meetings already and had given a report to the Spring Town Meeting. He said that they just sent out 30 letters that day to all the non-profits to invite everyone to a meeting of the non-profits on June 1. Mr. Petropoulos said that the non-profits thanked them for bringing everyone to the table.
 - c. Mr. Haddad said that they had sent out two quarterly newsletters so far and upgrades to the website had been great. He said that you now could also long on and watch meetings online and they have worked to put up the recording the next day. He said that the Board would also see a new Records Policy at the next meeting. Mr. Petropoulos asked if the video indexing had been done yet. Mr. Degen said that was a lot of work. Mr. Haddad agreed adding that they were working on it.
 - d. Mr. Haddad said that the Prescott School was being worked on still.
 - e. Mr. Haddad said that they lost the ability to build additional parking behind Bank of America and Citizens Bank for the downtown area when the banks pulled out. Mr. Haddad said that the banks offered to pay the Town back for any money they expended adding there would be no cost to the taxpayers.
 - f. Mr. Haddad said that there was nothing new to report on the underground utilities.
 - g. Mr. Haddad said that the Sustainable Budget Committee would be meeting within the next two weeks. Mr. Degen suggested that before they got too far along that there be a joint meeting with the Finance Committee and Selectmen to lay groundwork for issues they had seen and what they would like them to look at.
 - h. Mr. Haddad said that they had not started to look into bulk purchasing adding he would set up a meeting with Mr. Degen to talk about this more.
 - i. Mr. Haddad said that the Affordable Housing Trust had met with them and provided the Board with their Annual Report. Mr. Petropoulos said that it didn't sound like they had determined an annual target. Mr. Degen said that the housing plan had a target. Mr. Schulman added that they had an affordable housing plan that specified how many they should develop.
5. Mr. Haddad said that they had received a request from First Parish Church for a one day beer and wine license for Saturday, May 7th from 6:30pm to 9:30pm and Saturday, June 4th from 6:30pm to 9:30pm for a Poetry Night and a Concert. He asked the Board to consider granting those licenses.

Mr. Cunningham moved to approve a one day beer and wine license for First Parish Church for May 7th from 6:30-9:30pm. Mr. Degen seconded the motion. The motion carried unanimously.

Mr. Cunningham moved to approve a one day beer and wine license for First Parish Church for June 4th from 6:30-9:30pm. Ms. Eliot seconded the motion. The motion carried unanimously.

6. Mr. Haddad asked the Board to consider ratifying the following appointments:
- Patrick O'Reilly – Groton Country Club Summer Staff
 - Tim Newman – Trails Committee
 - Judith Anderson – Election Worker
 - Donna Piche – Election Worker
 - Jeffrey Upton – Election Worker

Mr. Cunningham moved to ratify the aforementioned appointments. Mr. Schulman seconded the motion. The motion carried unanimously.

OTHER BUSINESS

Mr. Petropoulos said that he wanted to discuss planning for a failed override should it not pass at the election. He said that planning would begin the day after the election, on May 18th which was a compressed timeline should it not pass. He said that should the schools not be ready to come back to the second night of town meeting on May 23rd with a new plan they didn't currently have a third night decided on. Mr. Haddad said that he sent out an email to the Chairs of the Finance Committee, School Committee and Selectmen to schedule a joint meeting for the 18th at 6pm to discuss next steps should they need it. Mr. Petropoulos said that they should be discussing a contingency plan for the budget adding they would not be in good shape if they start on the 18th. Mr. Degen said that they didn't need to have a budget in place on May 23rd and didn't think that having discussion before the election was in their best interest adding it could jade the vote one way or another. He said that they should not be discussing a failed override right now. Mr. Cunningham agreed adding that they needed to start the process on the 18th adding he agreed they may not be ready for the 23rd but would have some idea by then. Mr. Haddad said it was a School Committee issue and had nothing to do with them at first. Mr. Petropoulos said that it was his impression that they should be planning now and not later but wasn't sensing the Board agreed. Mr. Cunningham said he didn't think they could do it alone adding it needed to be done in concert with other Boards. Mr. Haddad said he would be remised if he wasn't planning for contingencies as the Town CFO. He said that the budget passed at Town Meeting and it was not up to the election. He said that he would be prepared on the 18th should it not pass at the ballot. Ms. Eliot said that the Town Meeting vote was their budget right now. Mr. Degen said that he too had a list in the event of a failure but didn't see an upside to discussing it now.

TOWN MANAGER'S REPORT - continued

7. Mr. Haddad reviewed the status of his goals and objectives.
 - a. Operational support to the COA – He said that this had been moving along and working well.
 - b. Continue to work in good environment and work well with employees. He said that his communication with the Board was excellent adding he was off to a good start with the new reporter from the Voice.
 - c. Budget sustainability with fully loaded costs – He said that he did that with Country Club and was starting to do that with other budgets and would continue to do it.
 - d. Mr. Haddad said that he was working with stakeholders to enhance their Mass Works application.
 - e. Mr. Haddad said that OPEB would be part of the budget.
 - f. He said that cost reductions was part of the sustainable budget work.
 - g. Mr. Haddad said that he still needed to fine a course he could take to further his education.

Mr. Haddad said that he was well on his way toward meeting his goals.

MINUTES

Ms. Eliot moved to approve the Joint Session Meeting minutes of March 16, 2016. Mr. Cunningham seconded the motion. The motion carried 4-0-1 with Mr. Cunningham abstaining because he was absent from the meeting.

Ms. Eliot moved to approve the Regular Session Meeting minutes of March 21, 2016. Mr. Schulman seconded the motion. The motion carried 4-0-1 with Mr. Cunningham abstaining because he was absent from the meeting.

Ms. Eliot moved to approve the Regular Session Meeting minutes of April 4, 2016. Mr. Cunningham seconded the motion. The motion carried 4-0-1 with Mr. Schulman abstaining because he was absent from the meeting.

Mr. Degen said that he wanted to give one more public thank you to Mr. Schulman for all his years on the Board.

LIAISON REPORT

Mr. Cunningham said that the Feasibility Study Committee was meeting with the Architect the following week to discuss the Senior Center.

Mr. Degen moved to adjourn the meeting at 7:42pm. Mr. Schulman seconded the motion. The motion carried unanimously.

Approved: _____
Stuart Schulman, Clerk

_____ respectfully submitted,
Dawn Dunbar, Executive Assistant

Date Approved: 6/6/16