

**BOARD OF SELECTMEN
EXECUTIVE SESSION
MINUTES JUNE 28, 2016
APPROVED & RELEASE**

Present: John G. Petropoulos, Chair; Joshua A. Degen, Vice Chair; Barry A. Pease, Clerk; Peter S. Cunningham; Anna Eliot

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. Pease seconded the motion. Roll Call: Cunningham-aye; Degen-aye; Eliot-aye; Petropoulos-aye; Pease-aye

Mr. Haddad said that the Board voted at their last meeting to offer the Police Chief a three (3) year contract of \$137K/\$137K/\$137K for 3 years with his health insurance contribution at 30%. Mr. Haddad said that he and Mr. Cunningham met with Chief Palma who was concerned about being locked in for three (3) at one rate and that he could fall behind at the end of year three (3). He said that he talked to individual members and never expressed anyone's opinions so as to not violate the Open Meeting Law to the following offer of \$137K/\$138K/\$140K. He said he went back to the Chief with \$137K/\$137K/\$137K with a \$3K onetime bonus not tied to his base. He said this would not affect his retirement. The Chief agreed if the Board was in agreement. Mr. Haddad said that Chief Palma also asked to change the employee leave notice from four months to 30 days.

Mr. Pease asked why 30 days. Mr. Haddad said he did not provide a reason. Mr. Petropoulos asked what it was worth to them in terms of security on a three (3) year contract. Mr. Haddad said that a contract was more security for the employee than the employer. Mr. Petropoulos said that the original offer was 2% adding that \$140K was considerably more than 2%. Mr. Haddad said that it was \$260.00 more than 2%. Mr. Degen said he thought the four (4) month notice should stay. He said that the original of \$137K/\$137K/\$137K with 30% health insurance contribution was as far as he was willing to go. Mr. Cunningham said he thought they were talking short money at this point adding it was important to get this deal done. He said that he would trust that during a transition, the Chief would cooperate with them and offered an alternative of 60 days. He said he was comfortable with the money that was on the table. Mr. Degen said that he would entertain a bonus if at the salary was around 135/136/137 with no less than 90 days on notice. Mr. Petropoulos said that he was amazed. Mr. Cunningham said that maybe the Chief was feeling like he didn't have the support of the board and suggested that Mr. Petropoulos have a conversation with him to see if that was the case. Mr. Petropoulos said that the Board made it clear they wanted to renew his contract and that they value him. Mr. Cunningham said that what he means to the community was important adding the Chief wouldn't be engaging in this if he didn't want to stay. Mr. Pease said that a 30 day notification period was not reasonable.

Mr. Degen asked if there was a longevity clause in his current contract. Mr. Haddad said that there was not. Mr. Degen asked how long the Chief had been here. Mr. Haddad said since 2007. Mr. Haddad said that the only ones that have longevity clauses were the unions. He said at 9 years the patrolmen get \$740 and at 15 years they get \$1,140. Mr. Degen suggested giving the Chief a 5 year longevity bonus at the end of 5 years thus giving them another 2 years after this. Mr. Haddad said he didn't believe you could bind future contracts.

Mr. Degen said he thought this was a good contract and didn't think \$3K was worth him leaving. Mr. Cunningham said he didn't think they would get the deal done if they don't do it. Ms. Eliot asked if there was way they could make the end of his third year more attractive without setting monetary standards. Mr. Haddad said that he thought that the Chief was looking for money in the third year so he didn't fall behind area chiefs. Mr. Pease said that adding \$3K at the end of the third year was like thanking him for his years of service and thought it worked. He said that 90 days notification was a reasonable amount of time for notification. Mr. Degen said he would agree to \$136K/\$137K/\$138K with a \$2K golden handshake. Mr. Pease said that was a \$1K net less. Mr. Degen said it lowered the first year salary but that the average over three (3) years would be \$137K. Mr. Cunningham said that that had already been rejected kind of. Mr. Petropoulos said that a four (4) month notification was in the Town's best

interest. Mr. Cunningham said that they had a deputy in place to cover the transition had been pointed out earlier. Mr. Degen asked what the Town Manager and Fire Chief have to give for notice. Mr. Haddad said that they were both required to provide 90 days' notice. Mr. Pease said that the Police Chief should only have to provide 90 days' notice based on that.

Mr. Pease moved that they offer \$137K/\$137K/\$137K with a \$3K bonus not tied to base to be paid on June 1, 2019 and change the notification time to 90 days' notice prior to departure. Mr. Cunningham seconded the motion.

Mr. Degen said that he caved before because it was in the best interest of the Town and the department adding he also felt it was a good offer. He said that that offer was supported by a 4-1 vote and was going to stand firm on the previous offer with a 90 day notification. Mr. Pease said that the proposed offer of \$137K/\$137K/\$137K plus \$3K bonus was going to get this done. Mr. Degen said he could not vote in favor of this. Mr. Pease asked Mr. Degen if there was a compromise that he could support. Mr. Degen said that he could support \$136K/\$137K/\$138K as he offered earlier but with a 2.5% (not 2% as offered earlier) bonus at the end of year three.

Mr. Degen moved to amend the previous motion to offer \$136K/\$137K/\$138K with \$2,500 bonus and the change to a 90 day notification adding that health insurance contribution would be 70/70/70. Mr. Pease seconded the amended motion. Roll Call: Degen-aye; Pease-aye; Cunningham-nay; Eliot-nay; Petropoulos-nay. The motion was defeated by a 2-3 vote.

Mr. Petropoulos called for a vote on Mr. Pease's original motion. Roll Call: Degen-nay; Pease-aye; Cunningham-aye; Eliot-aye; Petropoulos-nay. The motion carried 3-2 in favor.

Mr. Cunningham moved to adjourn to open session at 6:00pm. Mr. Degen seconded the motion. Roll Call: Degen-aye; Pease-aye; Cunningham-aye; Eliot-aye; Petropoulos-aye.

Approved: _____
Barry Pease, Clerk

respectfully submitted,
Dawn Dunbar
Executive Assistant to the Town Manager

Date approved: 7/25/16

**BOARD OF SELECTMEN MEETING
MINUTES JUNE 28, 2016
APPROVED**

BOS Members Present: John G. Petropoulos, Chair; Joshua A. Degen, Vice Chair; Barry Pease, Clerk; Peter S. Cunningham, Member; Anna Eliot, Member

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

Mr. Petropoulos called the meeting to order at 6:03pm and reviewed the agenda.

ANNOUNCEMENTS

Mr. Haddad read a public announcement from the Groton Water Department about water restrictions.

Ms. Eliot said that the Groton Library summer reading program was underway adding that she attended the mini golf event at the library this past weekend. She said it was an exciting way to initiate summer reading.

Mr. Cunningham said that the fireworks would be held on Friday, July 8th at Town Field.

Mr. Pease reminded everyone that Thursday was the Town vote and encouraged the residents to get out and vote from 7am to 8pm.

TOWN MANAGER'S REPORT

1. Mr. Haddad said that he provided the Board with a draft of the Prescott School RFP. He said that there was a lot of effort putting this together by many different authors. He said that the RFP was seeking non-profit response only adding that that followed the vision statement drafted by the Committee. He said that limiting the pool of applicants could cause some concern.

Mr. Cunningham questioned the fact that the RFP didn't mention sprinkler systems. Mr. Haddad said that the system would not be installed by the time the RFP was advertised. Mr. Cunningham asked if they could insert a foot note. Mr. Haddad thought that was a good idea. Mr. Pease questioned the timing of the RFP adding that summer might not be the best time for issuing an RFP like this. Mr. Haddad said that it was a good question adding he didn't think it would hurt them to delay until the fall. Mr. Sheldon said that the new committee would not be appointed until after the designated non-profit was afforded the lease. Mr. Cunningham said that they could always re-advertise if they were not satisfied with the responses also. Ms. Pine said that a non-profit needed time to ramp up support and programming and could lose potential for enthusiasm because of the winter months. Mr. Haddad said that they were only really looking at a 30 day delay. Mr. Petropoulos agreed with Mr. Pease adding that advertisements tended to be viewed in the first few days of posting. He said delaying this a month or so would reduce the potential for people say they were giving priority to a certain group. He said that they may sacrifice something by waiting a couple of months but activity time in September would be less than the winter months. Mr. Haddad said that he could advertise it on or around September 9th with bids due October 13th. Ms. Manugian asked if there would be any impact on lease extension discussions with the School District. Mr. Haddad said that the School Committee would be talking with the lessee of the building adding they would have to start right away unless an extension was asked for. Mr. Sheldon said that the intent was to be as flexible as possible and a shift in deadline was not the end of the world. Mr. Haddad said that the delay would only be about 33 days.

Mr. Petropoulos asked what the rationale was in limiting this to nonprofits. Mr. Sheldon said that their original conversation was to keep this a town asset and lease it to a nonprofit. Mr. Haddad said that if their goal was to have community use out of the building, he asked if a for-profit could do that for them also. He thought there would be a better chance of getting financing for repairs too if you had a for-profit managing the building. Mr. Sheldon said that their vision was for a mixed-use public building. He said that the thought was to drive a community facility with a non-profit entity. Mr. Petropoulos asked if the tax status of a leasing entity mattered. Ms. Pine said that Mr. Petropoulos was asking questions that the Committee dealt with a number of months ago. She said that in their research, they had not run into a model where a

for-profit was managing the building. Mr. Haddad pointed out that page six (6) of the RFP stated that the managing company "may" be a non-profit. Mr. Degen said that he had some concerns that the strategic plan for Prescott identified some conflicting information. He cited the Appendix and said that he didn't see how the retail space was going to be able to financially maintain the rest of the office space which is occupied by the School District. He thought they could be losing out an opportunity to have a for-profit run the building. Mr. Petropoulos said that a profit status would not affect the bottom line adding that a non-profit would have incentive to have the bottom line come in at zero. He said he wanted to make sure this was not going against vision. Mr. Sheldon said that a non-profit would be more successful in fundraising and eligibility for grants. Mr. Degen said that he hadn't considered a for-profit. Managing the building but didn't think there was a downside to including it. He said that the Committee had done a good job explaining what an advantageous application was. Ms. Manugian encouraged the Board to open the RFP up to for-profits also adding it all went back to perception. Mr. Pease suggested opening up the RFP to for-profits also.

Mr. Cunningham moved that they adopt the RFP, opening it up to for-profits also and change the advertisement dates accordingly (issue RFP on 9/7/16 and close it on 10/13/16). Mr. Degen seconded the motion.

Ms. Eliot said that most of the criteria mentioned community use where only one mentioned for-profit use. Mr. Pease said that none of those controlled the operating accounting of the lessee. He said that whether it was a non-profit or for-profit company, they would look at this to see if fit their model.

The motion carried 4-0-1 with Ms. Eliot abstaining.

GDRSD CAPITAL PLAN

Mr. Petropoulos said that the districts capital plan had been released at a surface level at their last meeting. He said that he asked for this to be on the agenda for discussion adding that members of the School Committee were present to tell them what they know about it already. Mr. Cunningham said he thought it was premature for the School Committee to go into great detail. Mr. Kubick said that they only received a presentation on this the prior Wednesday and because of the lateness of the meeting, there was not a lot of time for questions. He said that the Committee still needs to go through it with more detail to look at things. Mr. Petropoulos asked if the Towns would pay for capital items based on the percentage of students enrolled per town. Mr. Kubick said that it would vary from year to year but it would be done in accordance with the regional agreement. Mr. Petropoulos said that playing fields had been under discussion. Mr. Kubick said that the reconfiguration of the playing fields and a turf field proposal were discussed. He said that these would be paid for by private funds or CPC money.

Mr. Degen said that he spent three (3) hours looking at this plan. He said that for people who were not aware of the amount, he said that the Capital Plan was requesting \$27M or \$18 without State reimbursement. He said that Groton was the primary contributor toward this and was concerned with how the Committee was proposing to fund this and how much they would put in for per year. He asked the Committee to look at those things as they analyze the plan. Mr. Cunningham said that they needed to give the School Committee time to vet this plan before they talk about it. Mr. Kubick pointed out that these were just estimates at this point.

COMPLETE STREETS POLICY

Ms. Bonavita, Land Use Director/Town Planner said that she along with the Planning Board was there to talk about the Complete Streets program. She said that it was an exciting initiative rolled out by the Baker-Polito Administration. She said that national studies showed that 66% of Americans wanted more transportation options. Many roads had no sidewalks and those that did were not accessible to the mobility impaired. She said that a complete street was one that provided safe and accessibility to everyone. Ms. Bonavita said that main streets should accommodate all transportation and added there were a number of benefits to complete streets participation. She said that by adopting this policy they would be implementing goals and recommendations that were in the Master Plan and 2010 Walkability Study. Ms. Bonavita said that money was available to the Town for this program; different amounts available during the phases of planning and policy development and implementation. She said that 67

communities had already submitted their policy and been approved by the State. She said that Groton's policy said they would incorporate complete streets into all publicly and privately funded projects to the maximum extent possible. She said that these were design projects and not maintenance projects. She added that the policy called for a Complete Streets Committee which the Planning Board thought should consist of at a minimum the DPW director, Land Use Department, public safety and other stakeholders such as ADA committee. She said that the Committee would be tasked with measuring metrics for evaluating success and tracking results.

Mr. Haddad asked if the Planning Board voted to recommend this policy. Ms. Bonavita said that they had. Mr. Cunningham said that he was very supportive of this. He asked how many people they envisioned would be on the Committee. Ms. Bonavita said that they wanted to leave that open and up to the appointing authority who also had not been identified yet. Mr. Cunningham said that they should develop a separate charge that's consistent with the policy. He said that he was very supportive of bike lanes and asked if road resurfacing projects would now include bike lanes. Mr. Burke said that the recent repaving on route 119 done by Mass DOT had promised to put sidewalks in. He said that the State had adopted a policy for this. He said that regular road maintenance and repaving as part of that would not make the mandate apply. Mr. Pease asked if the policy had been vetted by the DPW Director. Mr. Haddad said that Mr. Delaney participated in the draft. Mr. Pease asked if adopting this changed what the Planning Board did when a new business came in. Ms. Bonavita said that the subdivision rules and regulations already included requirements for pedestrian access, etc. She said that they would like to see pedestrian access (applicants can request waivers from this) but ADA was required by law. Ms. Bonavita said that this didn't have to be a town-wide policy and could only be used and applied to certain sections such as the down town area. She said that would be part of the prioritization plan. Mr. Degen said that he had been to a number of communities that had adopted this and had been very successful. He said that he was concerned about costs associated with this but thought the downtown could benefit tremendously from this. He said that they needed to be careful with views of existing roads adding he didn't want to be bound by this and spend taxpayer funds that we don't have. Ms. Bonavita said that they had the ability to withdraw if they needed to for any reason. Ms. Eliot asked if this would help them with their Massworks grant. Ms. Bonavita said that it would. Ms. Eliot asked what the timeline for prioritization plan funding was. Ms. Bonavita said that she would send in the paperwork the day after it was approved for state approval. She said she was unsure of their turnaround time but said that in their Massworks application, she would state that Groton had applied for this.

The Board asked for an update on the Indian Hill Music project. Ms. Bonavita said that the Planning Board had approved the first phase for Indian Hill at their meeting the previous Thursday. Ms. Haddad said that the Planning Board held a site walk with the applicants and abutters. He said that there was good cooperation between the applicant, abutters and Planning Board. Mr. Burke said that phase I did not involve the vertical aspects of the project. He said that the applicant had offered and put in conditions that should the project not move forward the site would be returned to its original state. He said that a surety bond would be put forward. Mr. Degen said that he had never seen development of a site approved before they knew what was going there. He said that he would have never approved this if he were a member of the Planning Board. He didn't think it was an appropriate procedure. He said that despite that, he was very much in favor of this project and thought it was very good for the Town. Mr. Degen asked how many cubic yards of topsoil was being removed. Mr. Burke said that they were not presently removing any material from the site. Ms. Perkins said that the Planning Board would do major site plan review on this site and didn't want anyone to think that would not happen. Ms. Eliot said that when she was a member of the Planning Board they did a phased development approval for Academy Hill. Mr. Giger said he appreciated Mr. Degen's concerns adding this was a little out of the box. He said that having the applicant in the ground before final plans were designed would make for better plans with fewer changes. Mr. Pease said that he had a lot of faith in the Planning Board and what they had accomplished. Mr. Cunningham agreed adding that the ball was very much in the Planning Board's court. Mr. Hargraves speaking as an abutter said that he, like Mr. Degen would have liked to have seen the plans. He said that he liked what he had heard from the Planning Board adding they had been very open with abutters. He was concerned that Indian Hill had not taken the time yet to reach out to the neighborhood. Mr. Degen suggested asking Indian Hill in to discuss the project with them and to possibly set up a community forum.

TOWN MANAGER'S REPORT

2. Mr. Haddad said that the Economic Development Committee had revised their Committee Charge and wanted to discuss it with the Board. Mr. Pease said that he didn't think this was something that they needed to do at this time. He recommended that they understand what Groton's strategy was then determine what the problem statement should be. He said that they needed to consider what talent/roles the Committee needed in order to make sure the makeup of the Committee would be able to fulfil the charge. Mr. Pease went on to talk about the methodology or mission of the Committee and defining Groton which would help determine the problem statement and problem solving. He said that there were also "must dos" which would measure the competition, and measure successes and failures with the final step being analysis, presentation and implementation. Mr. Pease said that he thought this should be the basis for discussion and would like to see them brainstorm and collaborate.

Mr. Cunningham said that a lot of this planning was done with the last master plan. Mr. Burke agreed with Mr. Cunningham. Mr. Burke said that Economic Development was like a referee, not a player. He said that there was only so much the community could do as a third party with private property. He thought that a lot of this was beyond a charge. Mr. Cunningham said that the Committee may be advisory to the Board but thought they needed to carry that torch also. He said that there had been some pushback on some of the proposals but thought that they as a Board needed to be on board with this and supportive. Ms. Perkins asked Mr. Pease if he had an opportunity to look at the master plan. She said that there was a lot of data which was meant to change over time. She said that she agreed with his plan but didn't want to reinvent the wheel. Mr. Jeff Gordon said that he would like to see the Groton Board of Trade play a role in this also. Mr. Degen said that Mr. Pease's presentation was interesting. He suggested approving the new charge as it existed but needed to determine the membership. He said that when he attended the Economic Development Committee the previous week, Ms. Eliot offered her role on that Committee to him in that meeting to me. Mr. Degen said that he was very interested in Ms. Eliot's seat as the Board's representative to the Committee. Mr. Pease said that he was okay with appointing members that night. Mr. Cunningham said that he too was okay with moving forward with appointments adding there was nothing that precluded both Mr. Degen and Ms. Eliot from serving on the Committee. Ms. Eliot said that she liked Mr. Pease's idea of discussing the goals and objectives and suggested they wait to make appointments until after the Economic Development Committee had an opportunity to review the same. She said that they had time to appoint members adding that more people may be interested now that the Committee was getting new limelight.

Mr. Cunningham moved to appoint Anna Eliot, Mike Rasmussen, Art Prest, Joshua Degen and Russ Burke to the Economic Development Committee. Ms. Eliot seconded the motion.

Mr. Pease said he wasn't sure it was a wise idea to have two (2) Board of Selectmen members serve. He said that they wanted to prevent power from being in the hands of a certain board. Mr. Cunningham said that Mr. Degen had a strong skillset of running a local business and Ms. Eliot brought history to the Committee along with Planning Board experience. Mr. Petropoulos suggested amending the motion to appoint individuals one at a time. Ms. Eliot said that she was not wedded to the position and offered to withdraw her name to relieve some individuals of their stresses.

Mr. Cunningham withdrew his original motion and offered a motion to appoint Mike Rasmussen's to the Economic Development Committee term to expire June 30, 2017. Mr. Pease seconded the motion and asked what experience Mr. Rasmussen had. Mr. Cunningham said that Mr. Rasmussen had many years of experience in the banking industry. The motion carried 3-2 with Mr. Petropoulos and Mr. Degen voting against.

Mr. Cunningham moved to appoint Art Prest to the Economic Development Committee term to expire June 30, 2017. Mr. Pease seconded the motion. The motion carried unanimously.

Mr. Cunningham moved to appoint Russ Burke to the Economic Development Committee term to expire June 30, 2017. Ms. Eliot seconded the motion. The motion carried unanimously.

Mr. Cunningham moved to appoint Josh Degen to the Economic Development Committee term to expire June 30, 2017. Mr. Pease seconded the motion. The motion carried 4-0-1 in favor with Mr. Degen abstaining citing he wasn't going to vote for himself.

Ms. Fay Raynor, a candidate for the Economic Development Committee, said that she had lived in town for 12 years and applied because she noticed an opening. She said that she had been an architect for 25 years and worked on a number of projects throughout NE. She said that she wanted the opportunity to apply her skillset to the Town.

Mr. Degen moved that they appoint Fay Raynor to the Economic Development Committee term to expire June 30, 2017. Mr. Pease seconded the motion. The motion carried unanimously.

Ms. Gina Cronin introduced herself adding she was an internal communications manager. She said she thought engaging people was important and though she could bring that experience. Ms. Cronin said that she was happy to leave the seat open to someone who had more economic skillset.

Mr. Cunningham moved to nominate Gina Cronin to Economic Development Committee with a term to expire June 30, 2017. Mr. Pease seconded the motion. The motion carried 4-1 with Mr. Petropoulos voting in opposition.

Mr. Petropoulos asked the new Committee to look at the charge and report back. Ms. Eliot asked that Mr. Pease give his same presentation to the Committee.

3. Mr. Haddad asked the Board to ratify the Town Manager's appointment of Tyler Poulin as a Country Club Lifeguard.

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

Mr. Haddad asked the Board to ratify the Town Manager's appointment of John Lamont as a DPW Summer Worker.

Mr. Cunningham made the motion. Mr. Pease seconded the motion. The motion carried unanimously.

4. Mr. Haddad said that the Invasive Species Committee was left inadvertently left off the annual appointment list. He asked the Board to reappoint Olin Lathrop, Brian Bettencourt, Adam Burnett and Holly Estes to the Committee.

Mr. Pease made the motion. Mr. Cunningham seconded the motion. Mr. Degen asked if four (4) members could make decision. Mr. Haddad said that the Charter allowed for it to happen. The motion carried unanimously.

OTHER BUSINESS

Mr. Petropoulos said that he wanted to discuss and consider adopting a policy on how to address more than two members attending a meeting of another Board without posting a meeting of the Board of Selectmen. He said that he proposed they table the discussion until their next meeting. Mr. Degen said he thought they should discuss it. Ms. Eliot proposed having a workshop with Town Counsel on this topic. Mr. Petropoulos said that there had been a couple of instances where a quorum had showed up to a meeting that had not been posted for the Board. He said that his proposed changes to their existing policy said that one member should leave as an easy resolution. He said that this would assure that no members express opinions if a meeting had not been posted.

Mr. Cunningham said he was good with most of edits but would like to see taken out "at direction of chair." He said that they would obviously post a meeting they know more than a quorum was interested in attending with 48 hours'

notice. Mr. Petropoulos said that there would be instances where there would be need for arbitration and thought that should be included. Mr. Cunningham said he didn't think that was necessary. Mr. Degen said he thought it was a great idea adding he had run into situations where he was asked to attend and two other members showed up. Mr. Degen asked about posting them for all meetings. Mr. Haddad said that someone would have to take minutes for all those meetings. Ms. Eliot said that Selectmen had the right to attend open meetings just as the public did. She said that Mr. Degen was talking about a Sunday Finance Committee meeting where it was too late for the Board to post. She said that it was stated that Mr. Degen was present on the Board's behalf but did not think they designated him to attend on their behalf. She said that every member should have felt they could attend. She went on to say that Mr. Petropoulos asked for Town Counsel's opinion which said that all five members had a right to attend a posted meeting of the Finance Committee on that Sunday. She said to say they must adhere to last in first out was a violation of rights they all had as a citizen of this community. Mr. Pease said it would have been a violation if they opined in an unposted meeting and he didn't feel it was worth risking an OML violation. He said he remembered them stating Mr. Degen would attend on their behalf to discuss the budget with the Finance Committee and thought it might have been one of his first meetings. Mr. Petropoulos said that they needed to move away from that meeting discussion adding it was irrelevant to the policy before them. He suggested they ask Mr. Haddad to run the proposed changes past Town Counsel. Mr. Haddad suggested they also seek an opinion from Attorney General. Mr. Cunningham said he had no problem going to Town Counsel.

Mr. Haddad said that in 2010 he sent out a memo on seeking opinions of Town Counsel. He said that they did this because of the major budget problems and saw this approach as a way of controlling Town Counsel costs. He said that according to the policy in 2010, the Town Manager needed to be notified if Town Counsel was needed and either the Chair or Town Manager could give permission to access Town Counsel.

Mr. Cunningham said that Mr. Petropoulos asked Town Counsel for advice back in March relative to a contract at Town Meeting. He said that that opinion was not shared even upon request. Mr. Cunningham said that their relationship with Town Counsel was collective and should have been shared. He said that that sharing of information with the Board needed to be clear moving forward. Mr. Petropoulos said that an opinion had been requested by a third party, a member of the Finance Committee. He said that he was asked to go to Town Counsel and informed the Town Manager that he was seeking advice of Counsel. He said that Town Counsel asked that he provide the Finance Committee member with a synopsis of the opinion. He said that the question before them was should all opinions be displayed to the Board. Mr. Cunningham said that anything relative to a contractual obligation should have been shared with all members of the Board. He said that the cost saving policy was put into place to avoid any one being allowed to call Town Counsel. He said that even as Chair (Mr. Petropoulos), he didn't have the right to have exclusive opinions be given to him. Mr. Pease asked Mr. Cunningham if he was asking that this be put in the policy. Mr. Cunningham said that this was something that had not come up before. Mr. Pease said he didn't think there was any intent here. Mr. Degen said he wanted a copy of the opinion.

Mr. Petropoulos said that there was a time during the Spring Town Meeting when there was a rumor that a motion to amend the Town Manager's salary might come up at Town Meeting and a member of the Finance Committee wanted an opinion from Town Counsel. He said that Mr. Haddad was kept informed the entire time. Mr. Cunningham said this had not been an issue before but it would be helpful to share these kinds of things with the Board. Mr. Degen agreed that any written opinion should be shared with the Board. Mr. Haddad said that he had not seen the opinion either but didn't want to in case a motion was made at Town Meeting to amend his contract. He asked the Board to reaffirm the policy.

Mr. Degen moved to reaffirm the memo dated January 7, 2010 on how to access Town Counsel. Ms. Eliot seconded the motion. Mr. Cunningham asked that all opinions be shared collectively with the Board and offered an amendment to the motion to add #6 - all correspondence be shared with all members of the Board.

Mr. Petropoulos asked that they seek Town Counsel's advice on this also.

The motion carried unanimously.

MINUTES

Mr. Pease moved to approve the meeting minutes of May 19, 2016. Mr. Cunningham seconded the motion. The motion carried unanimously.

Mr. Cunningham moved to approve the meeting minutes of May 23, 2016. Mr. Pease seconded the motion. The motion carried unanimously.

LIAISON REPORTS

Mr. Haddad said that they attended a meeting in Boston with Massworks individuals. He said that he thought it was a positive meeting. He said that two of the decision makers were present and that they appreciated the fact that we had adjusted the application to their comments.

Mr. Degen moved to adjourn at 8:50pm. Mr. Cunningham seconded the motion. The motion carried unanimously.

Approved: _____
Barry Pease, Clerk

_____ respectfully submitted,
Dawn Dunbar, Executive Assistant

Date Approved: 7/25/16