

**BOARD OF SELECTMEN MEETING
MINUTES SEPTEMBER 6, 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

Mr. Petropoulos called the meeting to order at a few minutes after 6pm because of an Executive Session held prior to the regular meeting and reviewed the agenda.

ANNOUNCEMENTS

Ms. Eliot reminded everyone to vote on September 8th.

Mr. Pease said that Grotonfest was September 24th, rain date September 25th.

Ms. Eliot complemented the Fire Department and Fire/EMS Association for a job well done on the Muster.

PUBLIC COMMENT PERIOD

Ms. Baxendale asked when Route 40, where it was recently paved, would have the lines repainted. Mr. Haddad said that he would have to check with Mr. Delaney. Mr. Degen said that they might be waiting for cooler weather so that the lines that are placed down stick to the pavement better thus lasting longer.

TOWN MANAGER'S REPORT

1. Mr. Haddad said that he sent an email to the Board last week about an agreement with Ameresco that the Board had already approved for the solar project. It was subject to Town Counsel Review adding that Town Counsel had made a couple of edits to it. Mr. Haddad asked the Board to confirm the vote and authorize the Chair to sign it.

Mr. Degen moved to reaffirm their previous vote and authorize with the newly executed documents provided by Town Counsel. Ms. Eliot seconded the motion. The motion carried unanimously.

2. Mr. Haddad said that the Trails Committee had requested that he appoint Wanfang Murray to the Trails Committee and asked the Board to ratify that appointment. He said that the Trails Committee was excited to have her start adding her term would expire on June 30, 2017.

Mr. Degen moved to affirm the appointment of the Town Manager of Wanfang Murray to the Trails Committee term to expire June 30, 2017. Ms. Eliot seconded the motion.

Ms. Eliot said she wanted to thank the Trails Committee for all the work they do. The Board agreed.

The motion carried unanimously.

3. Mr. Haddad said that the Board had voted to create a Complete Streets Committee with the adoption of the new policy. He said that the Committee was made up of seven individuals as follows: one member of the Board of Selectmen; one member of the Planning Board; one member from the Trails Committee; the DPW Director; the Town Planner; and two citizens at large. Mr. Haddad said that they had not received any interest from residents at this time, however, they would like to get the Committee up and running. Mr. Haddad respectfully requested that the Board of Selectmen designate one of their members to the Committee and appoint the following four individuals; George Barringer (representing the Planning Board), Stephen Legge (representing the Trails Committee), Land Use Director Laurie Bonavita and DPW Director Tom Delaney. Mr. Haddad said that they would continue to advertise and bring back the two resident positions at a later meeting. He asked the Board to take that action.

Mr. Cunningham said that he was interested in serving as the Board's appointee adding that he had expressed interest at a previous meeting and thought he would be a good candidate as he was in touch with the roads being a cyclist.

Mr. Pease moved to appoint George Barringer (representing the Planning Board), Stephen Legge (representing the Trails Committee), Land Use Director Laurie Bonavita, DPW Director Tom Delaney and Peter Cunningham (representing the Board of Selectmen) to the Complete Streets Committee with two citizen at large appointments to come at a later date. Mr. Degen seconded the motion. The motion carried unanimously.

4. Mr. Haddad said that they had a public hearing scheduled for the following Monday night at 6:30pm to review the first draft of the warrant but wanted to review it with the Board that evening also. Mr. Haddad said that this was the Board's warrant and included everything that he had received from other Board/Committees/Departments. He said that the Board could decide what it wanted to keep or remove adding that the only thing they could not remove was a citizen's petition. Mr. Haddad reviewed the draft warrant articles (dated September 2, 2016 and attached).

Mr. Pease asked, relative to article 4, if they had an idea of how much free cash would be certified at. Mr. Haddad said that they did not know that yet.

Mr. Degen asked, since this was their warrant, if an article could be pulled prior to the public hearing if they desired. Mr. Haddad said that they could if they wanted to. Mr. Petropoulos said that someone submitting an article was probably doing so thinking that their article was moving forward but in reality the Board had the right to remove it if they desired except for a citizen's petition. He asked if they (the requester of the article) could somehow get it placed back on the warrant without having to go through a citizens petition. Mr. Haddad said that in his time in Groton, the Board had never pulled an article from the warrant that came at the request of another Board/Committee/Department adding they had however pulled their own. He said that that was the Board's call. Ms. Eliot said that she hoped that if they were going to discuss pulling an article, they would wait until the public hearing so that the party that submitted the article would be present for the discussion and be heard.

Mr. Haddad reviewed article 7 which was a hotel tax similar to the meals tax that was implemented a little over a year ago. Mr. Petropoulos said that surrounding towns to Groton had already implemented this in their communities. He said that the tax was somewhere between 0%-6%. He said that research had not been done to see if the hotel owner was prepared for something like this or had seen anything like this in other towns they do business. He said that towns use this to leverage revenue. Mr. Degen said it was a great idea for existing established business but thought that because they have so few hotel rooms, and in fact only bed and breakfasts, and because they had such a hard time getting economic development stimulated, to ask the Groton Inn, who was about to break ground on their project to hear about an additional room tax would be an impediment on them. He said he would like to see them get going and consider it down the road. Mr. Haddad said that in learning that surrounding towns had implemented this already, the Budget Sustainability Committee spent a lot of time discussing ways in which to raise revenues to help with the budget crunch and ultimately decided to bring this forward. He said they estimated it would bring in \$150K in additional revenue. Ms. Eliot said that she concurred with Mr. Degen adding she raised the same concerns at the Budget Sustainability meeting. She said she felt uncomfortable with the timing of this. Ms. Eliot suggested they be invited to a meeting to discuss this. Mr. Cunningham said that the law stated they could assess up to 6% tax with this and asked if the Committee had discussed an ideal percentage. Mr. Petropoulos said that at 6% and at the Groton Inn's full occupancy would bring in \$150K to the Town in revenue. Mr. Cunningham said he heard the concerns but wanted to hear more about this. Mr. Degen said he would be willing to wait until the public hearing to discuss this further with the owners but thought it really would be an impediment to new owners. Mr. Pease said that any businessman who would be planning on doing business in the Commonwealth, would have plugged this possible tax into their business

plan adding that this could be implemented at any time by any town. He said he agreed that they should have the owners in to discuss this further.

Ms. Eliot said that she thought this was similar to offering a new business a TIF. Mr. Pease pointed out that a TIF was relief from property tax not sales or occupancy tax.

Mr. Haddad said that article 8 was sponsored by the Council on Aging not the Board of Selectmen like the draft warrant stated. He said that the COA would be presenting this next week. Mr. Degen asked if they had a number for the cost of the engineering. Mr. Haddad said \$300K. Mr. Haddad said he would provide funding option to the Board next week. Mr. Petropoulos said that he would also like to see an estimated cost for the project so that they understand the whole picture.

Mr. Haddad explained that article 12 was seeking money to perform an operational audit of the Town's finances similar to what the school district was looking to do in article 13. He said that he was hoping the Board would authorize him to issue the RFP for the Town's audit so that he could have a number prior to Town Meeting. Mr. Degen asked why the district was coming to the Town for money to perform their audit. Mr. Pease said that it would be Groton's share. Mr. Petropoulos said that the district didn't have this budgeted for. Mr. Degen asked how much he anticipated the Town's audit costing. Mr. Haddad said around \$30-40K based on a couple of call he had made. Mr. Petropoulos said that he heard the school's audit would cost around \$80K. Mr. Degen asked Mr. Haddad to invite them to the meeting next week to discuss this. Mr. Haddad said he already did.

Mr. Haddad said that article 19 may or may not be on the final warrant based on what Town Counsel says about Powder House Road.

Ms. Eliot asked to go back to article 18. Mr. Haddad said that the property owners at 78 Old Ayer Road were requesting to hook up to sewer. He said that the Town Meeting voted to allow extension of the sewer down old Ayer Road exclusively for the use of Indian Hill. He said that Town Meeting would have to authorize this because that was not the original vote of Town Meeting.

5. Mr. Haddad said he drafted an RFP for the operational audit which the Budget Sustainability Committee has seen and approved. He said that he would like to get it advertised so that they will have a cost for Town Meeting and asked requested that the Board discuss authorizing him to advertise it. Mr. Pease said that he felt some wording created some restriction when reading it, specifically section D item #2. He said he would like it to read "cost impacts or savings related to". He said that there was potential to find savings and he wanted to make sure they looked for that. He said that a consultant should come back with both. Mr. Robertson said he though cost impact did encompass savings also but thought being clearer was the way to go. Mr. Haddad said he would add that. Mr. Petropoulos asked if they could specify per capita cost reporting adding citing Pepperell's low per capita cost as something to be compared to.

Mr. Cunningham moved to authorize the issuance of the RFP for a Town Operational Audit. Mr. Pease added that it be as amended. Mr. Cunningham agreed. Mr. Pease seconded the motion. The motion carried unanimously.

6. Mr. Haddad said that he wanted to begin by reading into the record a letter received by Takashi Tada, Conservation Administrator relative to the consideration of the Board's right of first refusal on property located on Dale Lane owned by Ms. Jodie Gilson. This letter asked the Board to postpone action so that the Commission could meet with Mr. Collins to discuss this matter further. He said it would put a substantial amount of the property in a Conservation Restriction and therefore, the Town may not need to purchase the property to achieve what it would want to if they purchased it. Mr. Haddad also pointed out that after speaking with Town Counsel, the Town did not have to purchase the property within the 120-day period. It only needed to exercise its option to purchase the property.

Mr. Collins said that he proposed to create a 14 acre parcel with a restriction to be placed on it immediately and a full Conservation Restriction to be put in place within 5 years. He said they were well on their way to having something that will work. He said he would be meeting with the Commission next week. Mr. Haddad said that if the Commission voted next week to recommend that the Board not take action, the Board would need to vote on it at their meeting on September 19th. Mr. Pease asked if this was a Declaration of Restriction or an intent to present one. Mr. Collins said that it was an intent. Mr. Degen reviewed a plan showing the parcels in an effort to clarify where the 14 acres with restriction would be and where the lot lines would be. Mr. Collins said that part of the 16 acres was being carved out for a house lot while the 14 acres was part of the original 16 acres and part of another parcel currently owned by Mr. Juskalian. Ms. Eliot asked if the restriction was permanent. Mr. Collins said it would be. Ms. Eliot thanked everyone for working together on this to achieve common interests.

LIAISON REPORTS

Mr. Degen said that the RAAC (regional agreement committee) worked for almost a year to update the agreement which has been done unanimously. He said it was before DESE for their review and would come back for ratification at a future Town Meeting once completely approved by all at the state and local levels.

Mr. Petropoulos said that the Budget Sustainability Committee was working on its recommendations right now and was hoping to come in with recommendations and a report before the Board in late September - early October.

MINUTES

Mr. Cunningham moved to approve the Regular Session meeting minutes of July 25, 2016. Mr. Pease seconded the motion. The motion carried unanimously.

Mr. Cunningham moved to approve the Regular Session meeting minutes of August 8, 2016. Ms. Eliot seconded the motion. The motion carried 4-0-1 with Mr. Pease abstaining because of his absence.

Mr. Cunningham moved to approve the Regular Session meeting minutes of August 29, 2016. Mr. Pease seconded the motion. The motion carried 4-0-1 with Ms. Eliot abstaining because of her absence.

Mr. Petropoulos adjourned the meeting a few minutes after 8:00pm.

Approved: _____
Barry Pease, Clerk

respectfully *submitted*,
Dawn Dunbar, Executive Assistant

Date Approved: 9/19/16