

**BOARD OF SELECTMEN MEETING
MINUTES JANUARY 9, 2017
APPROVED**

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

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

Mr. Petropoulos called the meeting to order at 7:00pm and reviewed the agenda.

ANNOUNCEMENTS

Mr. Cunningham said that the Feasibility Oversight Committee would be holding informational events with the first one to be held on Wed, January 11th at 6pm. He said that there was also a community charrette scheduled for Sat, February 25th at 10am.

TOWN MANAGER'S REPORT

1. Mr. Haddad said that the Police Chief requested he appoint Tina White as a Relief Dispatcher and asked the Board to consider ratifying the appointment.

Mr. Cunningham moved to affirm the appointment of Tina White as a Relief Dispatcher effective that day. Mr. Eliot seconded the motion. The motion carried unanimously.

2. Mr. Haddad said he presented the Board with info last week about considering the endorsement of a letter to the Mass Legislature that would, among other things, prevent unnecessary pipelines, taxes, etc. He said that the Light Commissioners were present to discuss this adding he had also reached out to the proponents of the pipeline who were unable to attend. Mr. Haddad said that a couple of neighboring communities had already endorsed this letter. Mr. Cunningham said that the letter seemed sort of broad to him adding there was nothing that stated a bill had been filed. He said he would feel more comfortable if there was something more well defined.

Mr. Kelly said that a pipeline tax was not on the table adding it had been struck down by the Supreme Court in August. Mr. Kelly said that New England did not produce natural gas and with the coal and oil plants closing there was a high demand for natural gas. He said that New England was the most reliant region on oil because of the natural gas restraint. He said that the purpose of the letter before the Board was to oppose future natural gas pipelines adding that the ability that they (GELD) had to bring in natural gas was limited. He said that they had two alternatives they could consider; one was to ignore the letter and the other was to work with GELD to draft a letter that encouraged natural gas infrastructure in New England. Mr. Cunningham said he understood the need for gas but not the tax and also thought that the appropriate time to do this was if there was a proposal calling for a pipeline tax.

Mr. Degen moved that he would like to take advantage of the offer to draft a letter that makes sense moving forward regarding the need for additional resources due to plant closures coming in the future. Mr. Pease agreed and seconded the motion.

Mr. Petropoulos said it was not in their purview as Board members to do that adding that their job was to run the policies of the Town. Mr. Degen said that they were highly involved in the Kinder Morgan pipeline and wanted to be ahead of this and not be reactionary. Mr. Petropoulos said that he was not interested in being part of stating that they need natural gas but not here. Mr. Cunningham said that they were often asked to render their opinions and was in favor of drafting a letter with GELD. Ms.

Eliot asked if GELD would benefit if there was a tax with things like grants. Mr. Kelly said that there was no tax on the table so he didn't know.

The motion carried 4-0-1 with Mr. Petropoulos abstaining.

3. Mr. Haddad said that it was time to open the warrant and provided the Board with the proposed timeline. He said that the warrant would open on Tuesday, January 10th and close on Friday, February 24th. He said that the public hearing was scheduled for Monday, March 20th with the Town Meeting to be held on April 24th.

Mr. Cunningham moved to open the warrant for the 2017 Spring Town Meeting effective tomorrow January 10th. Ms. Eliot seconded the motion. The motion carried unanimously.

Mr. Cunningham moved to close the warrant for the 2017 Spring Town Meeting on February 24th. Mr. Pease seconded the motion. The motion carried unanimously.

Mr. Pease moved to hold the 2017 Spring Town Meeting on Monday, April 24, 2017. Mr. Degen seconded the motion. The motion carried unanimously.

Mr. Degen said that money articles should come up first at town meeting but added that he would like to see them do things a little different by means of a lottery. He said he thought it might keep participation up throughout the entire meeting. Mr. Haddad suggested that they schedule a meeting with the Moderator to discuss this. Mr. Petropoulos asked what articles Mr. Degen had seen, aside from financial articles, that posed an issue. Mr. Degen said he didn't want to comment on that. Mr. Pease thought they should be cautious that their method was in line with their goal. He said it was a very interesting idea but should tread lightly. He said that it was a challenging subject matter from what he saw while serving on the Town Meeting Study Committee.

4. Mr. Haddad said that as the Board was aware he had met with the Chair and Vice Chair on his goals and asked the Board to consider approving them.

Mr. Pease moved to adopt the eight (8) goals as presented. Mr. Cunningham seconded the motion.

Mr. Degen said that they had held a secondary meeting and discussed adding a ninth goal but Mr. Haddad's rationale for not adding it made a lot of sense adding it was a collective bargaining issue. Ms. Eliot asked what the goal was. Mr. Petropoulos said it was not something he wanted to discuss seeing they didn't add it.

The motion carried unanimously.

5. Mr. Haddad said that he had revised the Town Manager's performance review form as discussed and asked the Board to consider adopting it.

Mr. Cunningham moved to adopt the annual review form of the Town Manager. Mr. Pease seconded the motion. The motion carried unanimously.

Mr. Haddad said that based on the policy, he sent his self-evaluation to the Chair that day.

6. Mr. Haddad said that he had updated the financial policies to include changes to the OPEB section and asked the Board to formally vote to adopt it that evening.

Mr. Degen moved to adopt the financial policy as amended. Ms. Eliot seconded the motion. The motion carried unanimously.

SENIOR CENTER SITING DISCUSSION

Mr. Cunningham said that part of a well-informed decision was having all the information. He said that they had charged various committees to do that work which was ongoing and was not sure this was the right time to be weighing in on siting. Mr. Petropoulos said that there had been a request to obtain as much information from as many people as possible during this phase. Mr. Degen said he agreed with Mr. Cunningham. He said that it was premature for them to weigh in on site selection. He said that the population was growing and a new center was needed to meet their needs. Mr. Pease said he was concerned that all presentations were being held at the Senior Center and was hoping that the presentation could be moved around to different locations to keep it unbiased. He said that they were starting to obtain some cost structures which was good but the questions like how to fund it needed to be discussed. Mr. Pease said it was in his opinion that there was dysfunction with joining the two committees as caused by the vote at Town Meeting and that worried him. He said that biases were not being left at the table but thought through this process they had an opportunity to make it the best that it could be. Ms. Eliot echoed what Mr. Pease said adding there was no common goal from what she saw. She said that the seniors needed a new place to provide them with what they needed. She felt it was just as important as the school children adding she hoped the open discussion aired out differences and that the eventual decision was understood by the entire population.

Mr. Degen said that there was excess land on the current site and if it were linked with the land owned by the firefighter's association the site could be made larger. He said that there was also a need for housing for their seniors and floated an idea to piggy back affordable senior housing next to the current senior center site, using some of that rent money to partially fund the senior center. Mr. Cunningham said that they needed to have a definitive plan to be able to shop around. He said that there could be grant opportunities, individual donors, etc., but things they needed time to look into to. Mr. Petropoulos said that he didn't have a preferred location in mind nor did he have any skin in the game. He said that Ms. Shelp had done an amazing job with the current building adding that it was a difficult building but said that if their current center was not there, that wouldn't be a site they would be considering. He said that they worked hard to locate the site for the new fire station. Mr. Petropoulos said that he had heard a little bit of conversation around the senior center being also swerving as an evacuation center and wasn't sure why they would put one on the other side of their emergency operations. Mr. Cunningham said it was for those that lived in West Groton.

Mr. Petropoulos mentioned a second means of egress adding that he had viewed other senior centers in towns close to theirs and found that there was no second means of egress and these centers were on a busy main road. He said it was not a requirement to have a center placed on a quiet residential road. Mr. Cunningham said that the siting of the fire station was driven by response times not convenience adding that secondary egress was very important. May not have been as important in other communities. Mr. Pease said he couldn't imagine his neighbors in North Groton wanting to travel 30 minutes to West Groton to go to the senior center. Ms. Eliot asked if some of the forums could be held at other sites like the Lost Lake Fire Station. Mr. Pease agreed with Ms. Eliot but thought that people interested in this should be seeing the current center. Mr. Degen said he thought they needed to be held at the senior center so that people take the time to see the current site and see what people were talking about. Mr. Cunningham said it was important for folks on the Committees to hear that they were in favor of the need for a new senior center.

Mr. Pease moved that the Board agree that they need a new senior center. Mr. Degen seconded the motion. The motion carried unanimously.

Ms. Pine said it didn't seem right to ask the committees working on all this to dig into different funding schemes and understand them all. Mr. Cunningham said that the committees were analyzing the sites and what the costs might be. He said that funding sources would be dictated after that in working with the Town Manager and Finance Committee. He said that a great deal of work had been spent on programing and the needs of the seniors. Mr. Pease said that one of their goals was to establish a planning subcommittee to establish a strategic plan for the Town. He said that building needs would be a part of that but wasn't sure they were going to be able to get to the strategic plan before this work had been completed.

Ms. Helen Sienkiewicz said that she retired four years ago, and had been volunteering at the COA which she enjoyed thoroughly. She said that she lived as far away from the senior center as possible adding that she looked out her front door at Westford. She said that her commute was 7.5 miles door to door and that she enjoyed the drive. She said she would like to see seniors make the drive to the current site then to try to exit onto Main Street. She added that the gardens they have were also very important to the seniors and must be considered no matter what location was chosen.

Another resident said she lived in the center of Town and enjoyed walking to the library and added that she would not live in housing next to a senior center. Mr. Richard Marston of Old Dunstable Road said that he had been a volunteer at the COA for three years, a member of the Board of Directors for a year and had recently become a Van Driver. He said that he had no problem with the commute adding his was about 7 miles. Ms. Gail Chalmers said that he lived in West Groton and added that they had done the research. She said that she didn't see where and how location should be a deterrent. She asked what the Board's definition and vision of a senior center was. Mr. Degen said that it should be a facility that meets the needs as dictated by the State and Federal government whether at home or attending the center. He added that providing programs and services that meet the needs and expanding services that meet future needs along with a diversifying program for those that don't consider themselves seniors was what he envisioned. Ms. Eliot said she would like to see a center where she is able to wheel her elderly father into the facility with a portico and with an emergency use. Mr. Petropoulos said he was not qualified to say what a center should be. Mr. Cunningham said that there was a planning process in place, that outreach had been done and needs determined. He said that he looked to be informed by those needs to make a best decision. Mr. Pease said he looked to Ms. Shelp for guidance. He said a community drives people to go there and would love it if a library and senior center were all in the same place. To him that was a community center.

Ms. Shelp asked the Board what their priorities were and provided financial before programming as an example. Mr. Pease said that they were in a crisis; financial as well as a certain population that are in dire need. He said he wrestled between the two are they were both important and hoped to find a balance. Ms. Eliot said that the taxpayers were paying regardless and thought that programming needs should be identified no matter what. Mr. Keoseian said that the Board was well represented by the Town Manager, Mr. Cunningham and Mr. Green for the Town. He said that once the data was in, collectively with the Finance Committee, the right decision would be made. He said that the next month would be important as they deluge into the information in order to provide the Spring Town Meeting with a decision. Mr. Platt said that his objective at Town Meeting was to make sure that the Senior Center was located in the right place for the whole town. He asked the Board if they wanted the Committee to be looking at potential land behind the library or by the fire station. Mr. Petropoulos said he could not agree more. He said he felt constrained by only looking at the Prescott School and the current site. He said that he felt as though Town Meeting wanted them to consider all sites and felt okay re-tasking the Committee with this. Mr. Degen said he didn't want to see them kick this too far down the road adding he would not support another facility on Farmers Row. He wanted them to be looking at town owned property and thought that land behind library was a good idea. Mr. Degen said he was also interested in letting the Committees do their work. He said that the Country Club was not a consideration as far as he was concerned. Mr. Cunningham said that their primary focus had been on two sites adding they could spend years looking at sites. He thought it they kept interjecting with additional sites and studies they would have spend

enough money to have built a good portion of a new center or in renovating one. Mr. Keoseian said that the Planning and RFP Committee made conscious decisions to not ask the Town to purchase land in thinking about the tax payers.

Ms. Jennings said she wasn't sure why the Spring Town Meeting was a drop dead date. She said that there were people on various committees working hard to try to bring ideas together and suggested they think about slowing down.

Mr. Petropoulos said that they had been asked to consider locations beyond Prescott and the current site. Mr. Pease said he brought up greenfield sites when he was first elected and was 100% behind broadening the search and synergies between committees. Ms. Shelp said that they were open to looking at everything adding that their focus had been on three sites. She said that there were urgencies with their current building that could not be ignored. Mr. Pease said that those needs were the reason he hadn't asked for things to slow down. Mr. Petropoulos said that he would like to propose that Mr. Pease work with Mr. Haddad to work on getting the current center to where it should be while they slow this down. Mr. Haddad said that the Feasibility Study Committee had come in a year ago, and drafted an RFP to look at three sites based on feedback from the Board. He said that there was pushback about the Prescott School and they were asked to study it more. Mr. Haddad said that they would probably need to appropriate more money to look at additional sites. Mr. Pease agreed with Mr. Haddad and the direction given adding there was no fault on the Committees for working on the three sites they had. Mr. Degen said that if they were going to look at other sites they needed to consider putting an article on the warrant to address the current Senior Center and needs of the population. Mr. Haddad said that they would be looking at approximately \$250-300K to deal with code issues. Mr. Haddad asked when the Board was going to give new direction adding that he didn't want to spend any more money until they were clear on their charge. Mr. Degen said it was important to find out what the Regional Schools plan was with the Prescott School adding that their lease was due to expire in August 2017. Need to know what their plans are. Mr. Cunningham said that whatever decision they make, they needed to make it clear to the committees they had asked to work on all of this.

Mr. Petropoulos asked what the appetite of the Board was in regard to expanding the evaluation. Mr. Degen said that his was contingent on addressing the needs of the current facility. Ms. Eliot said she was not sure. Mr. Cunningham said he did not want to expand the evaluation. He said that the groups working on this recognized what Town Meeting asked for and they knew what they needed to do. Mr. Keoseian said that their charge post Town Meeting gave them that flexibility to look beyond Prescott.

Ms. Erikson said she agreed with Mr. Degen 100% about approaching the school district. She thought it would be helpful with what was trying to be achieved. Ms. Collette said she wanted to thank the Board for having this open discussion and for validating the compelling need for a new center. She said that there were code issues, ADA issues and that the existing conditions were unacceptable adding it was not fair to keep the Town waiting.

Mr. Degen moved that the Board, who was in charge of the lease at Prescott School, send a letter to the school district that they terminate their lease effective August, 2017. Mr. Cunningham seconded the motion for discussion purposes.

Mr. Degen said that the district had a tremendous amount of space available to them. He said that they had an RFP from the Friends of Prescott who cannot charge the district rent. He said there was no way their plan would work if the district offices were in there. He said he didn't want to see them share the building any longer. Mr. Petropoulos said that it was extraordinarily unusual to have an un-announced agenda item and would like to have invite the district in to a future meeting to discuss this. He added he would not accept a

vote on this motion. Mr. Pease pointed out that it was a violation of the Open Meeting Law. Mr. Degen asked that it be placed on their next agenda and withdrew his motion.

TOWN MANAGER'S REPORT – CONT.

7. Mr. Haddad said that there was nothing new since his FY18 budget presentation. He said that as requested by Mr. Pease provided them with a breakdown of the various budget categories with benefits, including pension and health insurance, spread throughout. Mr. Pease said it was good because it showed how much the benefits shifted throughout those departments. He said that the shifts were what he expected to see but thought it was important to visualize it.

Mr. Pease mentioned Mr. Haddad's plan to fund technology in district by means of a warrant article adding that it was the third year they had funded their own technology. Mr. Haddad said it was actually their 7th year funding their own technology. Mr. Pease recommended doubling that number as a way to catch up. Mr. Haddad disagreed adding that the Town gave the district \$300K toward technology.

OTHER BUSINESS

Mr. Cunningham said he was disappointed that the Planning Board's Special Permit Decision didn't address direct access from the rail trail. He said that the Planning Board and Board of Selectmen agreed to move forward with complete streets and bicycle safety and that was not included in the site plan approval. He said that those that may want to bike or walk to Indian Hill would have to do so via the main roads. He said that the public hearing had been closed and thought they would regret that as a community. Mr. Degen said that he could not agree more with Mr. Cunningham. He said he was shocked their Chair didn't entertain that idea and felt as though it was a missed opportunity.

Mr. Petropoulos said that they had implemented an investigation policy a couple of weeks ago and an amendment had come to their attention. He said that language was necessary to ensure that Board members not go outside and talk to people. He said that the suggested language had been discussed with Town Counsel. Mr. Cunningham said that this was a new policy they had just adopted because they were absent a policy. He said he thought that the current policy of deliberating outside of a properly posted meeting under section 1 was sufficient. He thought they needed to stand behind their policy for a while and not amend it every time something came up. Mr. Petropoulos said that the policy didn't prevent a member from discussing this with non-board members. Mr. Pease said that he understood the intent and appreciated it but asked if it was legal that the person the complaint was against didn't know there was a complaint against them. He said that this seemed restrictive. Mr. Petropoulos said that this had to do with Board members. Ms. Eliot asked if this was pertaining to a specific incident and if so asked where the written request for an investigation was. Mr. Petropoulos said that an issue had come up and a request for an Executive Session had come to the Chair. He said that a process was followed and an investigation was initiated. Ms. Eliot said that they didn't have a complaint. Mr. Degen said that they did. Ms. Eliot said that they hadn't been presented with a written request. Mr. Petropoulos said that this proposed modification had nothing to do with a written complaint. Mr. Degen said that he initiated a complaint in writing and sent it to Mr. Petropoulos and Mr. Haddad. He said that Mr. Petropoulos sat down with the Town Manager as per the policy and determined to move this to an Executive Session. Mr. Degen said that one member went to the individual and mentioned the executive session and said that the change was absolutely necessary. Mr. Petropoulos said that the point was that they had a policy that addressed their needs properly with the addition.

Mr. Pease moved to adopt the policy as written. Mr. Degen seconded the motion.

Mr. Cunningham said it was premature to do this and thought that this piece was covered by MGL. Mr. Pease said that the intent was to prevent the debacle adding that norms needed to be documented. He said that they

worked with Town Counsel to develop a methodology in a nicely structured forum. Ms. Eliot said that she would like to see the legal opinion on this first and was willing to vote contingent on seeing that.

The motion carried 3-2 with Ms. Eliot and Mr. Cunningham opposed.

Mr. Haddad said that the Audit Review Committee met on Friday morning and interviewed Matrix Consulting Group out of Worcester. He said that they voted unanimously to award the RFP to Matrix for \$45,500. He said that one additional item that came up was the Committee wanted to see a general public survey issued as part of the review. He said that he obtained a quote from Matrix for an additional \$2K. He said that five of the members had gotten back to him (and only him) so far were in favor of this addition. He said that this would require a transfer of funds at Town Meeting.

Mr. Degen moved to authorize Mr. Haddad to award the municipal audit contract to Matrix Consulting for \$45,500 plus an additional \$2K to conduct a survey. Mr. Pease asked if they could hold off on the survey part then said he was okay with it based on a letter outlining the scope Mr. Haddad provided him. Mr. Cunningham seconded the motion. The motion carried unanimously.

MINUTES

Mr. Cunningham moved to approve the Regular Session meeting minutes of December 19, 2016. Mr. Pease seconded the motion adding he had made one minor word edit. The Board accepted the amendment. The motion carried unanimously.

Mr. Petropoulos adjourned the meeting at 9:36pm.

Approved: _____
Barry Pease, Clerk

respectfully submitted,
Dawn Dunbar, Executive Assistant

Date Approved: 01/30/17