

**BOARD OF SELECTMEN MEETING
MINUTES MARCH 27, 2017
APPROVED**

BOS Members Present: John G. Petropoulos, Chair; Joshua A. Degen, Vice Chair; Barry A. 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 6:30pm and reviewed the agenda.

Mr. Degen moved to enter into Executive Session pursuant to MGL, c30A, Section 21, Clause 2 “to conduct strategy session in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel” – in regard to the Fire Chief. Mr. Pease seconded the motion. Mr. Degen added that they would exit the Executive Session and open in Open Session. Mr. Pease seconded the addition. Roll call: Pease-aye; Degen-aye; Eliot-aye; Cunningham-aye; Petropoulos-aye.

Mr. Degen made the motion to exit Executive Session and return to Open Session at 7:00pm. Mr. Pease seconded the motion. Roll call: Pease-aye; Degen-aye; Eliot-aye; Cunningham-aye; Petropoulos-aye.

7:00 - REGULAR SESSION

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

PUBLIC COMMENT PERIOD

Ms. Marlina Gilbert said that she wanted to share information from the Superintendent. She said that the All Are Welcome survey contest had been extended adding it was being done separate from the warrant article. She said that concerns had been raised and the Superintendent thought it was in their best interest to proceed cautiously.

TOWN MANAGER’S REPORT

1. Mr. Haddad said that the Board had just concluded an Executive Session to discuss the Fire Chief’s contract. He explained the process that he, Mr. Degen and Mr. Pease had followed in negotiating with the Chief to include meetings with the Finance Committee and Personnel Board. He said that the Chief’s current salary was \$102K with the average salary of comp towns being at \$112,500. He said that the subcommittee proposed a onetime \$7K salary adjustment plus a 3% bonus in FY18 for exceeding expectations bringing his salary to \$113,086 in FY18. Mr. Haddad said that years 2 and 3 would be performance based raises; 3% if exceeds expectations and 1% if he meets expectations. Health insurance would go to a 75/25 split in year 1 and 70/30 split in years 2 and 3. Mr. Haddad said that the Chief was excited to stay on for 3 more years as was the Board.

Mr. Pease moved that they accept the 3-year contract for Fire Chief, Steele McCurdy. Mr. Cunningham seconded the motion.

Mr. Petropoulos asked Mr. Haddad to outline the Chief’s goal process moving forward. Mr. Haddad said he would sit down with the Chief in the Fall to set the goals which would include participation by the Board.

The motion carried unanimously.

2. Mr. Haddad said that he appointed Katrina Posner as an Election Worker and asked the Board to consider ratifying the appointment.

Mr. Cunningham moved to ratify the appointment of the Town Manager of Katrina Posner as an Election Worker. Mr. Degen seconded the motion. The motion carried unanimously.

3. Mr. Haddad said that The Trails Committee had recommended that Bob Ordemann be appointed to the Committee. Mr. Haddad said he made that appointment and asked the Board to consider ratifying the appointment.

Mr. Cunningham made the motion to ratify the appointment of the Town Manager of Bob Ordemann to the Trails Committee. Mr. Pease seconded the motion. The motion carried unanimously.

4. Mr. Haddad said that First Parish Church had requested a one day beer and wine license for “An Evening of Irish Songs and Stories” on Saturday, April 1, 2017 from 6:30pm to 9:30pm and asked the Board to consider approving the license.

Ms. Eliot made the motion. Mr. Pease seconded the motion. The motion carried unanimously.

5. Mr. Haddad said that they received a request from William Lambirth of 41 Tavern Road and Jamie Caloggero of 71 Tavern Road for an Earth Removal Exemption to remove 4,500 CY of earth removal in order to move a utility pole and help with stormwater issues. Mr. Haddad read the conditions as outlined in the Earth Removal Stormwater Committee’s approval letter. Mr. Cunningham asked where the material would go. Mr. Lambirth said that the material would be going to 122 Old Ayer Road to the Indian Hill project. Ms. Collette said it was good fill that was needed on that site. She said that these 2 homeowners had worked together nicely on this. She said that the condition that the yard was left in by the developer was unfortunate. She said there was a big huge hill left in between their properties. Ms. Eliot asked if the utilities could be put underground. The applicant said that the pole was only being moved over by 4 feet. Mr. Cunningham complimented the applicants adding that the photos documented made sense of the situation. Mr. Degen asked what size truck would be hauling the material. The applicant said a 10-wheeler dump truck.

Mr. Cunningham moved to approve the application for Earth Removal Exemption for 41 and 71 Tavern Road with the conditions listed in a memo dated 3/22/17 from the Earth Removal Stormwater Committee. Mr. Pease seconded the motion. The motion carried unanimously.

6. Mr. Haddad said that the Board needed to take positions on several warrant articles.

Mr. John Amaral said that the Town Meeting Senior Center Review Committee appreciated the extra time to come before the Board. He said that the Committee had voted 6-1 to recommend moving forward on the purchase of Farmers Row property owned by Lawrence Homestead Trust to build a new center. He said that should the article pass to purchase the land, they would be seeking design money of up to \$400K. He said that the intent of the article was that if the article to purchase the land on Farmers Row did not pass, they would still be asking for the design money to design a center on the existing senior center site. He said that the Committee had voted unanimously on that. Mr. Degen said he was glad they had been able to conclude their process adding he was rather surprised by their choice asking about land purchase costs. Mr. Amaral said that they were in discussions with the Lawrence Homestead Trust and were looking at the piece of land closest to the fire station. Mr. Haddad said they couldn’t disclose any details at this time adding that he was going to be asking for an appraisal and would have that number for town meeting. Ms. Eliot said that she was surprised by the site selection and concerned that they were now looking to purchase land. She said she was not sure people were aware they were looking at purchasing land adding she also wasn’t sure what the neighbor’s response to this was going to be. She said it was going to be an adjustment and needed to carefully consider that. Mr. Amaral said it was not part of their charge to determine those types of things. He said that if the Senior Center were to be moved to a new location, the current location would have some value adding it could be used to offset the purchase price. He said that the Committee

spent a lot of time trying to understand their charge and at looking at town owned properties. He said that based on their interpretation of the charge as well as advise from Town Counsel, that their scope was to also look beyond town owned properties. He said that they understood the neighbor question but thought that their task between now and Town Meeting would be outreach to the neighbors and community as a whole. Ms. Annika Nilsson-Ripps said that town owned sites would have had their fair share of developing costs also. Mr. Cunningham said that another factor that evolved as the group met was the feeling that having something more central to the town center was something that was important to some. He said those sites were limited. Mr. Cunningham said that they were at a point where a where the town needed to make a decision. Mr. Pease asked if they had pulled Prescott 100% off the table. Mr. Amaral said that they had. He said that they had identified challenges with that location including parking as well as safety concerns expressed by the Fire Chief. He said that the motion to remove that site from the list had been made by the Chairman of the Prescott Committee. Mr. Sheldon said that the architect had come back with only an additional 31 parking spaces for Prescott which limited the needs of the Senior Center based on their needs analysis. He said they ideally needed 100 plus spots to accommodate a senior center's needs as well as anything else that Prescott would be used for.

Mr. Petropoulos asked about the one vote against purchasing the land. Mr. Haddad said it had to do with the land acquisition cost. Mr. Petropoulos said that the work the Committee had done was just great but questioned how they were going to pay for it and how they were going to get it done. He said that this site to him was where a new center belonged and thought that it celebrated what a senior center meant to them. He said that location was important and thought they had scored a home run. He said he was concerned about the timing of this and thought it was too fast and too big a deal to bring before the Spring Town Meeting. He said they needed to know what their prices were and what they were selling and would hate to see this fail because it was rushed. Mr. Degen said he wasn't sure he shared Mr. Petropoulos's concerns about it not being ready. He said he wanted to keep the warrant public hearing open because this is a site that's not on anyone's radar. He said that this was a neighborhood that didn't want to see a fire station built on that land adding despite that, he was not willing to forego this to the fall town meeting. Mr. Cunningham said that he knew they had a lot of work to do as a Committee to get ready for a town meeting vote but thought that the need out there was well known adding that a delay would send a bad message to the senior community. He said they also needed to be careful in saying that they were preferring this site because it was in the center of town adding that a lot of people prefer the current site in West Groton. Ms. Eliot said she supported putting this on the warrant and appreciated all the work the Committee had done. Mr. Pease said he thought 30 days was a long time to market something adding it was aggressive and they had challenges ahead of them but thought it was a risk they wanted to face and should take. He said this was not a Committee or Senior Center he had seen shy away from getting the job done. Mr. Amaral said he felt as though the Committee could do this.

Ms. Eliot moved to reopen the warrant. Mr. Degen seconded the motion. The motion carried unanimously.

Mr. Pease moved to authorize the Town Manager to draft a warrant article to purchase lots on Farmers Row from the Lawrence Homestead Trust. Ms. Eliot seconded the motion. The motion carried 4-1 with Mr. Petropoulos opposed.

Mr. Degen moved to close the warrant. Mr. Pease seconded the motion. The motion carried unanimously.

Mr. Haddad asked the Board if they wanted to vote to make the debt subject to debt exclusion. He said if they did, they would just need to authorize him to add that wording. He asked if the Board wanted the debt exclusion articles to be added to the ballot adding he needed a vote for that also. There was a brief discussion about a debt exclusion and whether 2 ballot questions were needed. Mr. Haddad said he recommended that they put both on the ballot. He said that just because it would be put on the ballot didn't mean they had to excluded it. He said if they could pay for it out of the levy, they then could go ahead and

do that. He added that the Committee was unanimous that they wanted a vote on the ballot also. Mr. Degen said he was okay with putting it on the ballot adding that he would like to see if included within the levy.

Mr. Cunningham move that they add a question to the ballot to purchase land on Farmers Row through a debt exclusion. Mr. Pease seconded the motion. Mr. Petropoulos said that this was a perfect first impression that this was being rushed. The motion carried unanimously.

Mr. Pease said he thought it was appropriate to allow the voters multiple options to vote on this.

Mr. Pease moved that they place a second question on the ballot to ask for a debt exclusion on the bonds necessary to design a senior center. Mr. Cunningham seconded the motion. The motion carried 4-1 with Mr. Petropoulos opposed.

7. Mr. Haddad said that the Board had asked him to obtain an estimate from the DPW Director as to the cost to install the All Are Welcome markers. He said that cost would be between \$1,000 and \$1,500 for all stones. He said that the Board also asked for a breakdown of the costs for the Prescott CPC application. He said that the total after taking out the sprinkler system component was \$15,350.
8. Mr. Haddad asked the Board to take final positions on the articles:
 - Art 1 – Hear Reports - Unanimous support
 - Art 2 – All Are Welcome Markers - Mr. Degen said that they had a request earlier to amend the summary. Ms. Eliot said she agreed that they should do that and suggested that they move the placement of the article to be with the monetary articles. Mr. Cunningham, Mr. Degen, Mr. Pease and Mr. Petropoulos were in support of this; Ms. Eliot abstained. Mr. Haddad said he could make it Article 17.
 - Art 3 - Elected Officials Compensation – Unanimous support
 - Art 4 - Wage and Classification Schedule – Unanimous support
 - Art 5 – Mr. Haddad said that the Finance Committee had not approved the budget yet. He said that they would be taking a vote on Wednesday adding that the proposed budget was \$36,045,843.
 - Art 6 - OPEB Trust – Mr. Haddad said that this included an additional \$200K coming out of free cash. Mr. Petropoulos, Mr. Cunningham and Mr. Pease were in favor of this. Mr. Degen and Ms. Eliot were not in favor of it.

Mr. Degen move to amend the total number from \$400K to \$200K. Ms. Eliot seconded the motion. The motion failed 2-3 with Mr. Degen and Ms. Eliot in favor.

- Art 7 - Pilot Program for Call Fire Department – Ms. Eliot said she was abstaining from all votes and discussions on this topic. Mr. Cunningham said he was in full support of this as was Mr. Degen. Mr. Haddad said he would bring this back once the budget had been finalized by the Finance Committee.
- Art 8 - Capital Budget – Unanimous support
- Art 9 - Ladder Truck - Unanimous support
- Art 10 – Design of Senior Center – 4-1 with Mr. Petropoulos – at Town Meeting
- Art 11 - Line Item Transfers – Mr. Haddad said he needed to add an \$1,800 request from GPAC to cover porta toilet costs that if passed, the boat excise tax would cover as of FY18. This was for the rest of this FY. He said he also added \$4,000 to do the appraisal on the Farmers Row property. He said he would bring this one back next week.
- Art 12 - Snow and Ice - Mr. Haddad suggested they defer till Town Meeting.
- Art 13 - Unanimous support
- Art 14 - Unanimous support
- Art 15 - Unanimous support
- Art 16 – The Board deferred until Town Meeting

- Art 17 - CPC accounts - Unanimous support
- Art 18 – Mr. Haddad said he would bring this article back next week.
- Art 19 - Charter amendments – Mr. Pease, Mr. Degen and Mr. Petropoulos were in support; Ms. Eliot and Mr. Cunningham were at Town Meeting.
- Art 20 – Mr. Cunningham was in support.
- Art 21 – Mr. Cunningham was in support.
- Art 23 – Mr. Cunningham said he was at Town Meeting adding he had a hard time giving up concept plan.
- Art 24 – Moratorium on Marijuana – Unanimous support
- Art 25 – Mr. Cunningham was in support.
- Art 26 – Unanimous support
- Art 27 -Boat excise – Mr. Cunningham was in support.
- Art 28 - Mr. Cunningham was in support.
- Art 29 - Mr. Cunningham was in support.
- Art 30 – Mr. Cunningham was in support.
- Art 34 - Town Seal – Mr. Cunningham said he was not in support of this. Mr. Degen said he would like to see them have a discussion at their next meeting to discuss the Board possibly forming a Committee outside of town meeting. He said that this request was going to create divisiveness and was going to get ugly at town meeting. He said they could invite all of those that signed the citizens’ petition into their next meeting to further discuss this. Ms. Eliot said that people were going to want to discuss this at town meeting. Mr. Pease said that he didn’t think they should get in the way of a citizen petitioners right to have something brought forward to town meeting. He said she would be very disappointed if this Board said they would handle this for you.

OTHER BUSINESS

Mr. Petropoulos said that Mr. Haddad’s review had been completed. Ms. Eliot said that she had a couple of corrections. Mr. Pease said he had some tweaks he would like to see made also and needed another week. Mr. Cunningham said he too had some issues with some of the comments that were made.

Ms. Becky Pine asked questions about the survey that was online and where it was being advertised.

LIAISON REPORTS

Mr. Haddad provided an update on the search for Land Use Director/Town Planner.

Mr. Degen said that the Affordable Housing Trust would be meeting on Thurs April 6th in executive session followed by an open session. He said it would be a very interesting meeting and encourage people to attend.

Mr. Pease said that Charter Review Committee was doing a lot of outreach and encouraged people to attend the final public hearings.

MINUTES

Mr. Pease moved to approve the joint budget hearing meeting minutes of January 28, 2017. Mr. Cunningham seconded the motion. The motion carried unanimously.

Mr. Pease moved to approve the joint meeting minutes of February 16, 2017. Ms. Eliot seconded the motion. The motion carried 4-0-1 with Mr. Cunningham abstaining.

Mr. Pease moved to approve the regular session meeting minutes of March 6, 2017. Ms. Eliot seconded the motion. Mr. Cunningham asked for a minor correction. The motion carried unanimously.

Mr. Pease moved to approve the regular session meeting minutes of March 13, 2017. Ms. Eliot seconded the motion. The motion carried 4-0-1 with Mr. Cunningham abstaining.

Mr. Petropoulos adjourned the meeting at 9:41pm.

Approved: _____
Barry Pease, Clerk

_____ respectfully *submitted*,
Dawn Dunbar, Executive Assistant

Date Approved: 5/15/17