

**BOARD OF SELECTMEN MEETING
MINUTES MAY 22, 2017
APPROVED**

BOS Members Present: Joshua A. Degen, Chair; Barry A. Pease, Vice Chair; Alison S. Manugian, Clerk; John G. Petropoulos, Member; Rebecca H. Pine, 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. Haddad read a statement from the Tax Collector/Treasurer on a recent issue they had with tax bills being sent out in error. Mr. Degen asked if those that received tax bills in error were being notified. Mr. Haddad said that the office was in the process of contacting each person adding that they had received about 70 phone calls that day.

Ms. Pine reminded folks about the Memorial Day parade this coming weekend.

Mr. Petropoulos said that they were about to hear from the All Are Welcome contest winners from the Groton Dunstable schools. He said that when the initiative was being introduced, he had spoken to the school district who was interested in participating. He said that the children were asked to write something about what it means to be All Are Welcome. He said that he had been contacted by some parents because these were not read at Town Meeting and asked if the children to come into a meeting to read the essays. Mr. Petropoulos introduced Avery from the 4th grade, Susanna from the 7th grade and Anya from the 1st grade who were present to read their winning essays.

ANNUAL BOARD REORGANIZATION

Chair: Ms. Manugian nominated Mr. Pease for Chair. Mr. Pease thanked her but said he would not accept a nomination for Chair but would accept for Vice Chair. He said he thought he could get more work done working with the Chair and thought they Board would be best served with Mr. Degen as Chair.

Mr. Pease nominated Mr. Degen for Chair. Ms. Manugian seconded that motion. The motion carried 4-0-1 with Mr. Degen abstaining.

Vice Chair: *Mr. Petropoulos nominated Mr. Pease for Vice Chair. Ms. Pine seconded the motion. The motion carried 4-0-1 with Mr. Pease abstaining.*

Clerk: Ms. Pine nominated Ms. Manugian for Clerk. Ms. Manugian accepted the nomination. *The nomination for Ms. Manugian for Clerk carried unanimously.*

Mr. Degen welcomed the Board's two new Selectmen and thanked Ms. Eliot and Mr. Cunningham who were sitting in the audience for all their years of service on the Board. He also thanked Mr. Petropoulos for the last two years he spent as Chair.

PUBLIC COMMENT PERIOD

Ms. Helen Magee said that in regard to the All are Welcome stones, she said she that seeing the children happy about their essays was okay but didn't think that the children and maybe the parents understood the legal issues that could be coming down the pike. She said that All meant All adding that this opened the Town up to being a sanctuary town even though Mr. Petropoulos said it wouldn't. She said that she had never seen ALL anywhere else but had seen "welcome to" not "all are welcome". She thought that 10-15 years from now the Town would see problems adding that this would come back to bite the Town and hurt the Police Department.

Ms. Connie Sartini said that she had not heard about an effort to create a town mission statement and asked what it was. Mr. Pease said that it had been discussed at a meeting in October as part of their goals and objectives and again at a meeting in April. He said that they launched a survey with the help of the IT Department in May to all employees and volunteers to seek their input on a mission statement. He said he was happy to provide a copy of the document that was created.

Mr. Degen said that at the recent election, one of the individuals elected to the Planning Board, Michael Vega, tried to remove his name too late and was still listed on the ballot. Mr. Haddad said that there was no vacancy until Mr. Vega either accepted or rejected the election adding they had not heard from him as of earlier that day.

TOWN MANAGER'S REPORT

1. Mr. Haddad said that the Board of Selectmen received a proposal from the Friends of Prescott in October to lease and operate the Prescott School. He said that when the 2016 Fall Town Meeting voted to further study the Prescott School as a potential site for a new Senior Center, the Board of Selectmen requested that the Friends of Prescott extend their proposal through May 1, 2017. He said that the Board needed to decide whether or not to award the RFP to the Friends of Prescott for the lease and operation of the Prescott School. Mr. Haddad said that the District was asking for a 2-year lease for Prescott, something that the Board needed to act on also. He said that GDRSD could not pay rent to the Town or anyone else that leases from the Town. Mr. Haddad proposed that the Board consider extending the lease to the GDRSD and extend a separate lease to the Friends of Prescott for some space in the building.

Mr. Art Prest called the meeting of the Economic Development Committee to order at 6:27pm.

Ms. Pine said that she wanted to let everyone know that she served on the Municipal Building Committee for Prescott School adding that the Friends of Prescott was helpful to that Committee but that she was not and had never been an officer of the Friends of Prescott and therefore did not have a conflict.

Mr. Degen said that he needed some clarification on a concern the Town Manager had brought up specifically that the Town or anyone that leases the building could not charge the District rent. He said he needed to see how their plan had changed in light of this.

Mr. Pease read the attached prepared statement into the record as well as the attached opinion from Town Counsel relating to his (Mr. Pease's) concerns.

Mr. Degen asked when Mr. Pease had received Town Counsel's opinion and why they had not seen it. Mr. Pease said he had received it on Thursday. Mr. Haddad said in hindsight he should have forwarded it to the Board but thought it was best to discuss it that night. Mr. Petropoulos asked if Town Counsel was suggesting that they could be violating the procurement process if they accept the proposal from Friends. Mr. Pease said that if they changed the terms too much they could be violating the procurement process adding they could have had other that wanted to respond to the RFP but didn't because of the way it was written in one way or another. Mr. Haddad said that it was his suggestion that the Board reject the proposal from the Friends and enter into a separate lease agreement with the Friends for some of the space. Mr. Haddad said that they could rent rooms to the Friends to get their programming up and going. Mr. Haddad said that he would need to check with Town Counsel to see if another RFP needed to be issued or if they could just go ahead and enter into a separate lease agreement. Mr. Petropoulos asked if anyone had discussed this with the Friends to see if they were still interested. Mr. Degen said that a bill of goods could not be relaxed because needs weren't met and asked if it was within their purview to accept the lease. He added that the Friends' plan was predicated on an escalating lease arrangement with the school district. Ms. Manugian said she felt uncomfortable entering into lease agreements without an accepted RFP.

Mr. Easom said that there were two sides to the ledger adding there was an expense side Mr. Pease had not touched upon. Mr. Pease said he had altered the Friends' revenue forecast. He said even though he tried to be aggressive with revenue projections he still couldn't come up with enough money to cover what they had projected in their RFP. Mr. Easom said that the Prescott Committee had put together four different financial options with one of the options including the district not occupying space. Ms. Jennings said that at least three of the Selectmen had said they were interested in the school not costing the Town money adding she thought things could still work out. She said if they didn't get in the building sooner rather than later they would be losing chances to make money. Mr. Petropoulos said that the Town had said and the Board agreed that they wanted to keep this building for community use. He said he was concerned that he was hearing that the plan was not financially viable. He said that view was only one selectman's analysis which they were hearing for the first time. He said that they had also heard that the schools didn't want to be tenants longer than two years which freed up space for market rate space, in his opinion.

Ms. Pine asked if Mr. Pease saw any of these scenarios working. Mr. Pease said he always wanted to see the finances work out.

Mr. Pease left the meeting around 6:50pm for a previously scheduled arrangement.

Ms. Pine said that there may be lots of other uses for the building. She said that the Friends had been waiting quite patiently for some time and were ready to move. She thought that if they were going to consider a 2-year lease with the schools they should consider a 2-year lease with this group. Mr. Degen said that they needed to be able to have more time to read Town Counsel's opinion and ask for clarification answers adding that accepting the RFP may bias themselves. He said that rejecting it didn't mean that they wouldn't or couldn't enter into negotiations with the Friends. He asked that this discussion be delayed to a subsequent meeting. Ms. Pine asked if they could specify questions needing clarification ahead of time and if there was a way they could legally enter into a multiple year lease with Friends at this point and what that suggested path was. Ms. Manugian said that it didn't feel appropriate to her to be contemplating facilitating a relationship with the respondent to an RFP where the current RFP didn't meet the respondents needs. Mr. Petropoulos said that they should not be landlords adding this didn't feel like property management to him. Ms. Manugian said she would agree that if there were separate meters, etc., that they as a town would have to work out leases with these two entities.

Mr. Degen said that the Friends had been patient on this but there was the unanswered question of whether or not they could accept this proposal or not. Ms. Pine said that they were an owner of a somewhat vacant building adding that maintenance costs could not be avoided if they didn't lease it out. She said that they had an entity that was not looking for town money to do this. She suggested that they rent to the Friends for a limited period of time, enough time in which they could come up with a business plan adding that the risk didn't seem high to her. Mr. Degen said that CPA funds was a surcharge on taxes adding that the Friends plan called for the possibility of obtaining additional CPA money for renovations. He said that there could be a big ask available once Surrenden Farms was paid off. He said that section 4.2.2 of the Friends response asked if they had an opportunity to obtain capital budget money for renovations, etc. He said that this was tax payer based as well. Ms. Jennings said that the Municipal Building Committee for Prescott School had done a lot of work over 18 months. 72% of people that replied to their survey wanted to retain the space for community use. She said that there had also been talk about setting up a governing board. She said that the Board would have a municipal board looking over them and the schools. She said that Friends of Prescott was a 501(c)3 and could raise money, that they could apply for CPA grants and others that the Town couldn't. Mr. Petropoulos said that they use CPA money to preserve historic buildings in their town. He said that they asked First Parish Church to be self-sustaining but they came to CPA for funds. He said he found it hard to imagine not using CPA money on Prescott as appropriate adding the building was historic and meaningful to them.

Mr. Prest said that the Economic Development Committee had voted unanimously to not see this RFP move forward. He said that Mr. Degen was not present for this discussion, vote and subsequent letter. He said that the business plan as presented would not sustain costs as submitted. He said that speaking as a private citizen, he would like to see this building used for mixed use adding he didn't see a lot of mixed use defined in the Friends response. He said that residents said they would like to see residential and commercial use of the building adding that the RFP did not address commercial use. He said that the building would not develop enough revenue without commercial use adding that this was his concern as well as the Economic Development Committee's feeling.

Mr. Degen said that it was up to the Board to determine whether the respondent responded appropriately. Ms. Jennings said that their proposal was for only 23% community use adding that businesses would not come into a building not up to code. Mr. Petropoulos said he saw this as an exercise to have an entity come in and manage a building the Town said they wanted to keep. He said that their plan would probably change and they needed to be flexible. He said he wanted to apologize to the Friends. He said that they (the Town) issued an RFP and the Friends responded and nothing had happened in between. He said that the Board had derailed their plan and now they were suggesting that they (the Board) might reject it outright. Mr. Easom said that there was a sentiment that the Town was not friendly to business adding that the Town had a difficult time making decisions and sticking to the plan and this was a perfect example of that.

Mr. Greg Sheldon said that an offer to purchase was rejected at two town meetings. He said that there was hunger for community use within the community adding that over 80% of the building was set aside for commercial, office and retail including schools space in their plan. He said that they had an entrepreneurial community who could benefit from incubator space. He said that the Friends would develop a business plan as their first action item adding that if the schools were planning on moving out within five years that space could be used for retail. He said that a group of residents had come together to save this building and make a run at a plan. He asked the Board to give them a chance to prove themselves.

Mr. Haddad asked the Board to allow him time to reach out to Town Counsel and understand this further. Mr. Degen suggested that they take the next week to look over all the information and bring this back on a future agenda. The Board discussed adding a meeting on May 31st to discuss this.

2. Mr. Haddad said that the Lost Lake Fire Protection project had been completed last summer with the final Punch List items and As-built Plans being submitted by their engineers over this past winter. He said that due to the combination of a very good bidding climate, an excellent contractor, and great engineering and engineering oversight, the project had come in \$118,164 under budget. He said that when they permanently finance the project, they would only borrow \$1,718,836 reducing the amount of anticipated annual principal and interest payments. He said that this was good news for their taxpayers. Mr. Haddad said that they would be closing out the project on June 30, 2017 and wanted to take a moment to thank Tom Orcutt for his excellent oversight of this project, along with Don Palma, Steele McCurdy, Tom Delaney, Takashi Tada, Mike Hartnett and Patricia Dufrense for their help in making this project a success. Mr. Haddad asked the Board to vote to close out this project on June 30, 2017.

Ms. Pine moved that they close out the Lost Lake Fire Protection project on June 30, 2017. Mr. Petropoulos seconded the motion adding that Mr. Haddad's leadership was what got this project done. The motion carried unanimously.

3. Mr. Haddad said that with the recent defeat of the senior center debt exclusion they would not be moving forward with the RFP for the design of this project. He said that at the Board's last meeting they voted to ratify the Senior Center Building Committee appointments. He said that he would like to continue to work with this committee to come up with a new solution to the building. Mr. Haddad said that there were upgrades to be made to the building and was looking for direction from the Board but would like to keep the Committee in place. Ms. Manugian said that Mr. Haddad's request made a lot of sense adding she didn't think the intent behind vote was clear. She said that the building needed work and it only made sense to look at the building. Ms. Pine said that she recalled that the money voted on at Town Meeting came from two sources. Mr. Haddad said that \$25K was appropriated through line item transfers to make repairs which was something that could be spent. He said that they needed to find a way to fund improvements without raising taxes. He said it was estimated that it would cost \$750K-\$1M to bring the current building up to code without additional space requirements. Ms. Pine said she thought they needed to do something. Mr. Petropoulos said that he meant no disrespect to the Committee but that he was concerned about the thinking. He asked if those individuals could think differently adding he would also like to try to understand why the override didn't pass. Mr. Degen said he agreed with keeping the Committee in place and expanding their charge to include looking at all options. Ms. Kathy Shelp said that they had already started asking people who didn't support the override to come forward so that they could understand why. Mr. Degen said he thought they should go ahead with the improvements that the Town Meeting voted on adding they couldn't stop spending money when there was a demonstrated need. Mr. Cunningham said he heard that voters didn't understand the question adding that more outreach would help with that. He encouraged the Board to allow the groups more time to process this and decide the best way to move forward.
4. Mr. Haddad said that Mr. Takashi Tada had recommended that he appoint Philip Marino as the Park Ranger for Sargisson Beach this summer. Mr. Haddad said that he had, in fact, made the appointment and asked the Board to consider ratifying the appointment.

Ms. Pine moved to ratify the appointment of Philip Marino as Park Ranger for the 2017 summer. Ms. Manugian seconded the motion. The motion carried unanimously.

OTHER BUSINESS

Mr. Haddad said that the Town Meeting had voted to amend the zoning bylaw to allow for medical marijuana facilities in certain areas of town adding they were still waiting to hear back from the Attorney General on the bylaw changes. Mr. Haddad said that he had not heard back from the company that reached out to the Town before Town Meeting about the possibility of a facility in Groton. He said he wanted to hear from the Board on what their next steps should be. Mr. Degen said that they should continue their conversation based on Mr. Haddad's and Mr. Petropoulos's discussion with the Grafton Town Administrator. Ms. Pine suggested that because there were tax revenue implications, she thought it behooved them to invite the Economic Development Committee in to look into this and provide the Board with recommendations along with recommendations from the Board of Health. Mr. Degen pointed out the fact that there were businesses, such as this, in their surrounding communities that were non-descript

and reputable. Mr. Petropoulos said he appreciated the comments about inviting the Board of Health and Economic Development Committee in but thought that they (the Board) needed to decide whether or not this was something they wanted to entertain. He said that they needed to take control of this and put out an RFP if this was the path they chose. He said that they guide this and shape it. Ms. Pine said that in looking at their zoning maps, there were only three locations where this could go. Mr. Petropoulos asked for a map of possible locations for their next meeting.

LIAISON REPORTS

Mr. Degen asked that assigning liaisons be added to their next agenda.

Ms. Pine asked when it was that they were going to be talking about goals. Mr. Degen said that their goals were a living document and asked if she could bring it up again in June. Mr. Petropoulos said that they had a formal goal setting that was done in the fall and provided updates quarterly.

Ms. Pine asked about the All are Welcome discussion. Mr. Petropoulos said that the previous Board had made a decision to put this on a future agenda for discussion.

MINUTES

The minutes were tabled until the next meeting.

Mr. Degen adjourned the meeting at 8:13pm.

Approved: _____
Alison Manugian, Clerk

_____ respectfully submitted,
Dawn Dunbar, Executive Assistant

Date Approved: 6/19/17