

**BOARD OF SELECTMEN MEETING  
MINUTES JUNE 19, 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. Degen called the meeting to order at 7:00pm and reviewed the agenda.

**ANNOUNCEMENTS**

Mr. Haddad said that Town Meeting had authorized a couple of bond issues that they were ready to take temporary notes out on. Mr. Haddad asked the Board to consider signing the necessary paperwork that night. Mr. Hartnett said that they were at or under the 1.5% adding that had just raised by the federal reserve. The Board was in agreement and signed off on the bond paperwork.

Mr. Haddad said he wanted to thank the Fire Department and Groton Garden Club. The Garden Club planted over 100 donated plants around the 9/11 Memorial where they were having difficulty getting the grass to grow. Ms. Sartini said that 20 Garden Club member had planted 122 plants.

**PUBLIC COMMENT PERIOD**

Ms. Janet Shea said that the generator at the West Groton Fire Station had been running for four days and wondered why. Mr. Haddad said that there was a broken switch that had been fixed by the electrician.

Ms. Marlina Gilbert said that the School Committee would be meeting with the Dunstable Finance Committee and Board of Selectmen on July 12<sup>th</sup> adding that she was trying to coordinate a meeting with Groton's Board of Selectmen and Finance Committee for July 11<sup>th</sup>. The purpose of the meetings would be to discuss capital and technology needs. Mr. Degen said he liked how they were starting early and collaborating with the Towns adding he would like to have their Board posted for July 12<sup>th</sup> in case a quorum would like to go to Dunstable's meeting.

**TOWN MANAGER'S REPORT**

1. Mr. Haddad said that he, Mr. Degen, Mr. Petropoulos and Mr. Robertson had met with representatives of both parties (GDRSD and Friends of Prescott) to discuss leases and had a very productive meeting. He said that their direction from the Board was to enter into leases with both parties for the use of the Prescott School. He said that they had negotiated a one-year lease with the School District. The lease has two very important provisions. First, it is for one year and one year only with no renewal provision. Secondly, the School Committee would have the ability to sub-lease portions of the building. The reason for the second provision is to allow the School District to remain in the building for the current year and allow the Friends of Prescott to lease directly from the Schools and begin establishing programs within the building. This is the easiest way for the two entities to co-exist in the Building and cover expenses and leave the Town and taxpayers with no additional liability for the maintenance and upkeep of the Building in Fiscal Year 2018. After the first year, it would be their intention to enter into a long-term lease with the Friends of Prescott for them to take over the building in FY 2019. He said that they were in the process of negotiating terms of this lease with the Friends for the Board's review and approval. Mr. Haddad said that they were scheduled to meet with them on Monday, June 19<sup>th</sup> to continue negotiations. Essentially, we would establish benchmarks for the Friends to meet in order for the lease to stay in effect. By establishing these benchmarks, including a business plan (including a capital improvement plan), lease arrangement with other entities (including the Groton Dunstable Regional School District), etc., the Board of Selectmen would be able to determine if the Friends had the wherewithal to maintain the building. Mr. Haddad said that they believed that entering into a long-term lease with the Friends would give them the ability to reach out to organizations willing to enter into leases with the Friends at Prescott knowing there is stability. Should the benchmarks not be met, the Selectmen would have the right to cancel the lease. This provided protections for both sides. Mr. Haddad said that the proposed lease with the Groton Dunstable School District was provided to the Board in their packet. Mr. Haddad asked the Board

to consider authorizing approval to lease Prescott to the GDRSD subject to School Committee working out a sublease with Friends and them accepting it.

Mr. Petropoulos said that the lease with School Committee would require that they have an agreeable lease with Friends. The lease with Friends would be structured so that they could succeed with a provision that if they fail, they fail quickly. He said that Friends was agreeable to that and wanted the same thing. Ms. Pine said she thought the schools wanted a two-year lease. Mr. Degen said that they could work that would with the Friends. Mr. Petropoulos said that the lease with the schools required they had satisfactory lease in the first year. Ms. Pine asked that if in FY19 should the Schools decide not to stay at Prescott, would the Friends have use of the entire building. Mr. Haddad said "yes." Mr. Pease said that he was not seeing what he was hearing written in the lease and thought that item #3 within the lease was in violation of the regional agreement. He said that the lease must have a renewal clause or it was in violation of the regional agreement. He said that he would also like to get Town Counsel's opinion or a definition on what "self-contained operating unit" meant. He said it seemed to preclude sectioning off and was therefore not one complete unit. Mr. Haddad said that Town Counsel had reviewed this. Mr. Petropoulos said he agreed with Mr. Pease adding that they had asked that item #3 say "shall enter." Mr. Haddad said he would make that correction. Ms. Manugian said she was not comfortable with that. She said if they could not come to an agreement, the district must move out according to this. Mr. Petropoulos said that they had asked the Schools to work out something with Friends and they were agreeable. Mr. Pease said if it didn't happen, they would have to go back and find a way to make it happen. Mr. Robertson said that the intent of the language was that if Schools would lease any part of the building, they had to lease it from the Friends who could in turn lease to anyone they wanted to. Ms. Gilbert said that the School Committee had come to a verbal agreement with the Friends. Mr. Petropoulos said that the Board was only asking the District to sign an agreeable lease with Friends. Ms. Manugian said she thought it was messy to require a sub-lease adding they should just have two separate leases. Mr. Haddad said that if they were to do that, they would have to collect money from the Friends and reimburse the Schools. Mr. Petropoulos said that the School Committee representatives had come in asking for that model. Mr. Degen said that they were trying to help launch the Friends and work with the Schools also adding this was the preference of the schools. Mr. Robertson said that the only parameter that was given was that the Schools needed to sublease with the Friends. Mr. Pease further discussed the renewal terms. Mr. Petropoulos asked Mr. Haddad to get in touch with Town Counsel and ask for an opinion about Mr. Pease's concerns.

Ms. Manugian said that she would not support a lease that would require the Schools to have a sub-lease with another party. Mr. Haddad said he would bring this back on the 26<sup>th</sup> or 10<sup>th</sup>.

2. Mr. Haddad said that a question had been raised at their last meeting by a resident asking for an update on the status of the West Groton Fire Station. Mr. Haddad said that he provided the Board with a memorandum from the Fire Chief updating the Board on its status. He said that the Fire Department was in the process of drafting a strategic plan for the Department and he would be scheduling this issue for the Fire Chief to update the Board, including the future of the West Groton Fire Station, at their first meeting in July. Mr. Haddad said that West Groton was being fully covered by the Center Station. Ms. Pine asked if they should be thinking about possible alternative uses of the space. Mr. Haddad said he would hold until they receive the final report from the Chief.
3. Mr. Haddad said it was time for the Board to make their annual appointments. *(list attached)* He said that due to inactivity, he was asking the Board to consider disbanding the Military Community Covenant and the Underground Utility Committee. He said that the Board of Registrars appointments would be brought back at a later date.

*Mr. Petropoulos moved to disband the Military Community Covenant. Mr. Pease seconded the motion. The motion carried unanimously.*

*Mr. Petropoulos moved to disband the Underground Utility Committee. Ms. Manugian seconded the motion. The motion carried unanimously.*

*Page 1: Mr. Pease moved to appoint the individuals as read by Mr. Haddad. Ms. Manugian seconded the motion. The motion carried unanimously.*

Page 2: Mr. Petropoulos asked by the Economic Development Committee appointments were taken off. Mr. Degen said that they would see under Other Business.

*Mr. Pease moved to appoint the individuals as read by Mr. Haddad on page 2 with the exception of the Economic Development Committee as described. Ms. Manugian seconded the motion. The motion carried unanimously.*

*Page 3: Mr. Pease moved to appoint the individuals as read by Mr. Haddad. Ms. Manugian seconded the motion. The motion carried unanimously.*

4. Mr. Haddad said that the Board affirmed the vote of Town Meeting at their last meeting to move forward with the install of the “All Are Welcome” markers. He said that he was responsible for the installation of them and would work with Mr. Petropoulos on the engraving of the stones. Mr. Haddad said that they had received \$1,900 in donations so far which would allow them to install four markers. He said that anyone wishing to make a donation would through their office. Mr. Petropoulos said that he met with Mr. Delaney on Friday to pick out the first stone and decided to install it on 119 by the Temple.
5. Mr. Haddad said that July 4th falls on Tuesday and he had received several requests for time off which meant they would be operating Town Hall on a skeleton crew. Ms. Pine asked if anyone who wanted to work could. Mr. Haddad said that they could but he would like to close Town Hall on Monday to conserve energy for a lone weekend. Mr. Haddad said it would be a very slow business day. The Board had no objections to employees taking either vacation or personnel time on Monday.

#### **OTHER BUSINESS**

Mr. Haddad said that he was very excited to see what was happening next door adding that Mr. Dan McElroy had done an outstanding job. He said that they had plans to make their restaurant a farm to table restaurant but their plans were evolving. He said that Mr. McElroy would like to make the second-floor part of the restaurant instead an apartment and install an elevator to access it. He said that they would be going back to the Planning Board to ask for an update to their site plan approval. He said that parking arrangements had been worked out with the Town and GELD also. Mr. Haddad said he would love to send the Planning Board a letter from the Board supporting this change.

*Mr. Petropoulos moved that they allow the Town Manager to send a letter from the Board to the Planning Board endorsing this change. Mr. Pease seconded the motion. The motion carried unanimously.*

*Mr. Pease moved to affirm the appointment of the Town Manager of Robert Melvin as a Summer Laborer for the DPW. Ms. Manugian seconded the motion. The motion carried unanimously.*

Mr. Pease said that he received a complaint last Thursday about an incident that took place between members of the Board and members of another board. He said he immediately followed the Board’s investigation policy to see if there were grounds. Based on that, he said that they could go through an individual investigation or do it at an open meeting to hash out what may or may not have happened. Mr. Pease said that at the Economic Development Committee meeting last Wednesday, members reported about a meeting that was had with members of the Board of Selectmen and felt as though their continued membership was being threatened. Mr. Petropoulos said he wanted this to be done in public. He said he was not looking to play games. Mr. Degen said that when he first was alerted to this, he spent time working with Town Counsel, Brian Maser and David Doneski. He asked that based on Counsel’s advice that Mr. Pease codify this complaint in writing so they could supply this to those named in the complaint. Ms. Pine asked about the threat. Mr. Degen said he was not sure they could discuss that and asked Town Counsel, Brain Maser to come to the microphone. Mr. Petropoulos asked if he was a subject of this complaint. Mr. Degen said he was. Mr. Petropoulos said that if this was about a meeting a that was had with Mr. Burke and Mr. Prest, he was happy to discuss it. Mr. Degen said that Mr. Pease has been provided information in the nature of a complaint which Mr. Pease would be providing in writing. Mr. Maser said that the discussion Mr. Petropoulos was trying to discuss right now was not appropriate adding that the named individuals should be provided advance notice under purpose 1 in Executive Session and may be done in open session if they so choose. Ms. Pine asked if they were not allowed to have discussions with individuals prior to. The answer was yes. Mr. Haddad said that he was involved in that

meeting and no threats were made. Ms. Pine said that she was the other Selectmen there and was mystified. She asked if they were not allowed to talk about what other committees do. Mr. Degen said that committee members felt threatened and it was incumbent on him as Chair to follow the complaint process. He said that as uncomfortable as this was they had to go through this. Mr. Petropoulos and Ms. Pine waived their rights to an Executive Session. Mr. Maser said that they should follow policy and provide notice. Mr. Degen said that if the individuals did not want to come forward, it was an open and shut case. Mr. Maser said that the subjects named on the complaint have the right to Executive Session not the complainants. Ms. Manugian said that not everyone knew what they were talking about and should be added to an agenda. Mr. Haddad said that he could schedule this for June 26th if you would like. Mr. Degen asked that an Executive Session also be scheduled for that day.

Ms. Pine asked if the Executive Session and/or Open Session involved the people complaining. Mr. Degen said that if they choose to attend. Mr. Degen said that the Board also had to decide whether it was going to conduct investigation or not first. He said he would hope that the individuals would choose to come to the meeting to tell their side.

**MINUTES**

*Ms. Pine moved to approve the meeting minutes of May 22, 2017. Mr. Pease seconded the motion. The motion carried unanimously.*

*Mr. Pease moved to approve the meeting minutes of May 31, 2017. Ms. Manugian seconded the motion. The motion carried unanimously.*

*Mr. Haddad asked the Board to exit Open Session and enter into Executive Session and not return to Open Session. Mr. Pease made the motion. Ms. Manugian seconded the motion. Roll Call: Pease-aye; Manugian-aye; Petropoulos-aye; Pine-aye; Degen-aye*

Mr. Degen adjourned the meeting.

Approved: \_\_\_\_\_  
Alison Manugian, Clerk

\_\_\_\_\_ respectfully submitted,  
Dawn Dunbar, Executive Assistant

Date Approved: 7/24/17