

**BOARD OF SELECTMEN MEETING
MINUTES AUGUST 28, 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 the warrant was closing on August 31, 2017 at close of business.

Mr. Pease said that there was a call firefighter recruiting event at the Fire Department at 7pm on Wednesday.

PUBLIC COMMENT PERIOD

Mr. Art Prest presented Mr. Haddad with an engraved shovel from the Four Corners Sewer Groundbreaking to thank him for all he did to facilitate getting the Mass Works grant. Mr. Haddad thanked Mr. Prest for the gift and kind words. Mr. Degen said that when Mr. Haddad made a commitment he always went full board adding the gift was well deserved.

Ms. Ellen Baxendale reminded those that required a sign language interpreter to request one prior Town Meeting. She added that she would love to see the Groton Channel be able to provide closed captioning of meetings. Mr. Colman said he would look into it but would take time.

TOWN MANAGER'S REPORT

1. Mr. Haddad said that the Sargisson Beach Committee recommended that Lynda Moore be appointed to their Committee and asked the Board to consider making that appointment.

Ms. Manugian moved to appoint Lynda Moore to the Sargisson Beach Committee term to end June 30, 2018. Mr. Pease seconded the motion. The motion carried unanimously.

2. Mr. Haddad said that he had appointed Jacqueline Stiles to the Country Club as a new staff member and asked the Board to consider ratifying the appointment.

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

3. Mr. Haddad said that Chief Palma was requesting that one of their Reserve Officers, Victor Sawyer, be appointed as a permanent officer so that he could qualify for a training at the academy. Chief Palma said that Victor or as they call him, "Jimmy", had been with the department for five years. He said that he was employed with Charles River Laboratory but always wanted to be a Police Officer. He said that Mr. Sawyer had put himself through reserve training adding that he was an exceptional employee and reserve officer. Chief Palma said that he needed to have a permanent appointment before he could get a seat at the academy. He said they were looking to have this appointment made so Mr. Sawyer could begin the academy as soon as possible to be able to start covering for an individual they had out on workers comp. Mr. Haddad explained that they would have to begin paying the salary as soon as Mr. Sawyer started the academy and be paying double salaries for the time being adding it would save on overtime.

Mr. Petropoulos moved to ratify the Town Manager's appointment of Victor Sawyer as an officer so that he could begin academy training. Mr. Pease seconded the motion. The motion carried unanimously.

4. Mr. Haddad said that they received an opinion from Town Counsel on anonymous complaints as it related to the Investigation Policy. Mr. Haddad said that Town Counsel thought it was already addressed in paragraph 1 of the policy and didn't think the Board needed to do anything further at this time as it related to the policy. Mr.

Petropoulos said that they needed to figure out what they wanted before they could say they agreed with the opinion.

Mr. Pease moved that they acknowledge that their current policy allows for anonymous complaints. Mr. Petropoulos seconded the motion.

Ms. Pine said that if complaints could be made anonymously they run the risk that the complaints could be frivolous and run the risk of not hearing important information if they didn't allow them. She added that if they didn't allow anonymous complaints, they ran the risk of not hearing important information. Ms. Manugian said that the difference between being approached in the public by someone versus a non-addressed letter in the mail were very different adding she was not comfortable with the latter. Mr. Petropoulos said that in both those cases someone had to receive the complaint. Mr. Pease said that anything that came into them, even something completely anonymous had to go through a process. Mr. Degen said he did not support anonymous complaints however, he did support someone asking that their name be withheld from the record. Ms. Manugian said she was not sure there needed to be a concrete rule written adding they could be discussed and a determination made when the Board reviewed it. She said she had an issue with a truly anonymous complaint. Mr. Pease pointed out that they were not talking about a complaint but rather a request for investigation and it should be considered much different than an everyday complaint. He said that they needed to rely on the discretion of Chair and Town Counsel with a request for investigation. Mr. Degen said it seemed as though it was the pleasure of the Board was to allow for anonymous complaints and review on a case by case basis.

The motion carried 3-2 in favor with Mr. Degen and Ms. Manugian against it.

5. Mr. Haddad provided the Board with a summary of the hiring process he uses when hiring a Department Head and a staff level position. Ms. Manugian said that she thought this was a great process adding she would love to see it captured in a policy. She asked how internal candidates were handled. Mr. Haddad said that with non-department head position or those within the clerical union, he was required to post internally for five (5) days unless they agree to a simultaneous posting. Mr. Pease said that he had no problems or comments with the process. Ms. Pine asked if Mr. Haddad would inform them if he planned to deviate from the process. Mr. Haddad said he would adding he would also present a new process. Mr. Petropoulos said that this procedure was highly flexible using the Principal Assessor position as an example. Mr. Haddad said that in that example he had come to the Board with a revised process. Mr. Petropoulos said that Mr. Haddad had come to the Board and told them what he was going to do adding he thought they should advertise every position. Mr. Haddad said he understood but always did his due diligence before coming to the Board. He said with the Principal Assessor position, he went to the Board of Assessors to ask for their input. They were unanimous in their choice of that particular person. Mr. Haddad said that they had to be able to have some flexibility. Mr. Degen said Mr. Haddad had done a very nice job defining the process used and thought it could be turned into a policy. He said that they could add language that this policy could be deviated from with a vote of the Board. Mr. Degen said that this overall process had worked very well adding that oversight needed to be given to the Town Manager on hiring. He said there would be times when an employee deserved bypassing a procedure adding he had no problem promoting from within. Mr. Pease cautioned the Board on implementing a policy that went against best practice. He said he provided the Board with a lot of links on hiring adding the articles said you should look internally first for fit. Mr. Haddad said that he would like the ability to come before the Board and outline a deviated process. He said he liked the way he did things adding it had worked for nine years. Mr. Robertson said that the Personnel Board unanimously agreed that there should be a policy set adding it could be a flexible policy. He said it also should cover what the rules were for internal and external candidates.

Mr. Petropoulos moved that the Town Manager work with the Personnel Board to come up with a policy. Ms. Pine seconded the motion. The motion carried unanimously.

6. Mr. Haddad said that the 4th quarter review showed that they had done very well financially last fiscal year. He said that revenues were way up. Mr. Degen asked if the free cash number was the actual free cash number. Ms. Dufresne

said it was a budgetary number only. Ms. Manugian asked about the usefulness of the report with regard to budgeting purposes. Mr. Petropoulos said that it was a management report given quarterly as means of an update on the current budget in comparison to the past year.

7. Mr. Haddad provided the Board with an update on their 2017 Goals.

Mr. Pease said that he had a small change to the mission statement he would bring forward at a future meeting. He added that he had not had a chance to sit with Ms. Manugian on the strategic plan.

Mr. Haddad said provided the Board with an update on the Town Manager's goals. Mr. Degen asked Mr. Haddad to come up with a class he could take within the next four weeks for something to start in January 2018 or earlier.

8. Ms. Pine asked about warrant articles and the process. Mr. Haddad said he had received an opinion from Town Counsel adding that with the exception of citizens petitions the Board had discretion on what went on the warrant. Mr. Haddad said that the second question he asked Town Counsel was whether the School Committee was considered a multiple member body of the Town. Town Counsel said that they were not. Mr. Haddad said that the School Committee had sent the same the same question off to their district counsel for an opinion. Mr. Degen said he would also like an opinion from the AG's office. Ms. Pine said it didn't matter to her what the lawyers said adding the Board and the School Committee were all in this together. Mr. Pease said that they had the opportunity to open the warrant and add an item if they chose to.

OTHER BUSINESS

Mr. Petropoulos said that they had received a letter about six months ago submitted by an individual inquiring about opening a recreational marijuana facility in Groton. He said that he and the Town Manager traveled to Grafton to meet with the Town Administrator and hear how they went about approving and permitting the facility. Mr. Petropoulos said he was contacted by a resident, Mr. Green, who was familiar with a lot of these issues and was interested in opening a recreational facility in Groton. Mr. Degen said he also met with Mr. Green and Mr. Petropoulos earlier in the summer to discuss this adding that negotiated terms had worked well in other communities. Mr. Petropoulos said that they needed to decide if they were interested in discussing this further and if so, set the ground work. Mr. Pease asked when the moratorium on recreational was set until. Mr. Haddad said it was set until June 2018 unless the Planning Board put an article on the warrant changing the moratorium. Mr. Haddad said it was his understanding that the Planning Board was not submitting an article at this time. Mr. Pease said he felt disingenuous if they were to move forward on something knowing there was a moratorium in place. Mr. Degen said that it was not something that was just going to happen adding it was advantageous for the municipalities needs to be worked out.

Mr. Green said that his background was in compliance and security within the cannabis field. Ms. Pine asked Mr. Green if he was a resident of Groton and if he was interested in growing cannabis. Mr. Green said he was adding he was interested in setting up facilities. He said that the facilities grow what they sell. Ms. Pine said she also wanted to understand what was already going on in the surrounding towns. Mr. Green said he knew there was a good size facility in Littleton being engineered adding there were only 12 facilities in Massachusetts at that time. Ms. Manugian said that she had worked on the professional side for a cultivation team adding there was a tremendous upside for a community to be a part of this collaboratively. She said that Groton had a long history of agriculture and would be in favor of them discussing this further. Mr. Degen agreed that Groton was an agricultural town and thought it was important they maintain that legacy. He thought this was worth exploring. Mr. Pease said that a majority of the citizens voted that they were in favor of this and thought because of that they should explore this further.

Mr. Richard Lewis said that he was against this adding he had seen too many people ruined by marijuana. He asked the Board to investigate this thoroughly.

The Board briefly discussed setting up a working group to explore this. Ms. Manugian said she would work with Mr. Haddad on this.

LIAISON REPORTS

Mr. Petropoulos said that he was the liaison to the non-profit council. He said that he and Mr. Degen has received an email from Neelkanth Mishra of the NESSP Temple wanting to meet to discuss charitable activities that would benefit the community at large. Mr. Petropoulos said that Mr. Degen invited his wife to join them which caused him concern and questioned the relevance. Mr. Degen said that his wife served on the Interfaith Council and because Mr. Mishra talked about charitable suggestions he thought the Interfaith Council should be involved also where it was about the community. It was decided that Mr. Degen and Mr. Petropoulos would attend the meeting alone.

MINUTES

Mr. Pease moved to approve the Regular Session meeting minutes of July 17, 2017. Ms. Pine seconded the motion. The motion carried unanimously.

Mr. Pease moved to approve the Regular Session meeting minutes of July 24, 2017. Ms. Pine seconded the motion. The motion carried unanimously.

Mr. Pease moved to approve the Regular Session meeting minutes of August 7, 2017. Ms. Pine seconded the motion. The motion carried unanimously.

Mr. Pease moved to approve the Executive Session meeting minutes of August 7, 2017 and not release them. Ms. Pine seconded the motion. The motion carried unanimously.

Mr. Haddad said he was just made aware that Hugh Stoddard passed away late last week. Mr. Degen sent condolences to the family and his wife Marion on behalf of the Board.

Mr. Degen said their next meeting would be on September 11th.

Mr. Degen adjourned the regular session portion of the meeting at 9:04pm.

Approved: _____
Alison Manugian, Clerk

_____ respectfully submitted,
Dawn Dunbar, Executive Assistant

Date Approved: 9/11/17