

**BOARD OF SELECTMEN MEETING
MINUTES SEPTEMBER 11, 2017
APPROVED**

BOS Members Present: Joshua A. Degen, Chair; Barry A. Pease, Vice Chair; Alison S. Manugian, Clerk; Rebecca H. Pine, Member

Members Absent: John G. Petropoulos, 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. Degen asked people to remember those that lost their lives and lost loved ones on 9/11.

Mr. Degen said that their community experienced a tragic event the previous Friday night where community members lost their lives through a domestic violence incident. He said that they held a vigil on Sunday to honor their lives and bring the community together.

Mr. Haddad said that Town Hall would be closed on Tuesday for mandatory employee training from 10am-12pm.

Mr. Pease thanked Mr. Haddad, Mr. Orcutt, Ms. Dunbar and Ms. Doig for serving lunch to the seniors and first responders earlier that day.

TOWN MANAGER'S REPORT

1. Mr. Haddad said that Ms. Manugian had spent a lot of time going through the Board's Policies and Procedures and had done a great job. Mr. Haddad asked the Board to vote to adopt them if they approved the changes. Ms. Pine said that she thought some of the language in a couple places was odd but said she could vote on them and could speak to Ms. Manugian about her recommendations at another time.

Mr. Pease moved that they adopt the spirit of the policy that Ms. Manugian so kindly eviscerated and revised. Ms. Manugian seconded the motion. The motion carried unanimously.

2. Mr. Haddad said that the Board had adopted a policy in 2014 to not require appointed Boards/Committees/Commissions of the Board and Town Manager to attend live OML training but instead require that they read the OML Guide and sign off on the acknowledgement at the back of the guide stating that they read it and return it to the office. Mr. Haddad said that he thought this was a good policy and didn't think another policy was required. Ms. Pine said he thought it would be useful for everyone to have a discussion together and understand the current OML. Mr. Pease said he thought it would be useful for the Selectmen to have a collaborative discussion with Town Counsel and for them to understand the nuances of the current OML not all Boards/Committees/Commissions. Ms. Manugian said that the OML was very broad but parts were very clear and thought that having a document or online tutorial made sense. Mr. Degen said he thought their Board should go through a Q&A and allow others to read the manual and submit a signed certificate. He thought they should require this be done within three (3) months of an appointment. Mr. Degen added that serial communication by email seemed to be the biggest violation of the OML adding that no debate or opinions could take place via email.

Mr. Degen moved to amend the Board's policy to include newly appointed Town Manager of Board of Selectmen appointments complete training and return certificate within three (3) months of appointment. It was determined that not motion was necessary and Mr. Degen withdrew it.

7:15PM - GROTON NEIGHBORS PRESENTATION

Pat Hartvigsen and Bob Lotz were present

Mr. Lotz introduced their organization as an all-volunteer, not for profit group made up of Groton residents that launched in January 2017. He said that their mission was to help people stay in their homes and stay connected as they got older. He said

that they were affiliated with a national network and had 67 members currently. He said that their volunteer staff matched requests with others offered services. The annual cost was \$120/year and subsidy was available. Ms. Hartvigsen said that Groton was a community rich in resources adding they had worked hard to reach out to other non-profit organizations and would continue to do so. Ms. Hartvigsen reviewed ways in which to contact Groton Neighbors including www.grotonneighbors.org or by calling 978-272-0123. Their hours were 9 to 5 Mon-Fri.

Mr. Degen commented on how this was a great resource to have in town.

7:30PM – ECONOMIC DEVELOPMENT COMMITTEE REPORT

Ms. Manugian said that she served as the Board's liaison on this Committee. She said that she thought the love of the community was mutual but thought the nuances should be put aside. Mr. Degen said he was asked by Mr. Petropoulos to read a lengthy email and had agreed to do that. Mr. Rasmussen said that with Mr. Petropoulos not being present, he thought the Committee would move along with their report. Ms. Anna Eliot suggested that Mr. Petropoulos's email be sent to the EDC so they could formulate a response. Mr. Pease said the intent of having the EDC there that night was to continue a dialogue that had occurred between the Board and the EDC. Mr. Haddad suggested that the email be read and the EDC be allowed time to meet, respond and come back to a future meeting. Ms. Manugian said that the dialogues just kept going and had very little to do with economic development. Mr. Prest said he objected to the reading of Mr. Petropoulos's letter that they had not seen yet adding that he thought they were being blindsided. Mr. Degen cancelled any further debate on this and the agenda item adding Mr. Petropoulos could read his own comments on this matter if he so chooses. Mr. Pease apologized for wasting the Committee's time with this.

OTHER BUSINESS

Mr. Pease said he disliked 3 to 2 votes adding he was surprised the vote on the mission statement went that way. He said he worked with Ms. Manugian on the concerns she had adding that the compromise was to break the mission statement out into two (2) sentences.

Mr. Pease made a motion to reconsider the vote that was taken on July 24th in regard to the mission statement. Ms. Pine seconded the motion. The motion carried 3-1 with Mr. Degen opposed.

*Mr. Pease moved that they adopt the following mission statement: **"The Town of Groton strives to provide our residents, businesses and visitors with quality municipal services delivered in an effective, professional manner. Quality of life is enhanced through collaborative planning, personal dedication and community involvement."** Ms. Manugian seconded the motion. The motion carried unanimously.*

7:45PM - LIQUOR LICENSE HEARING – 20 STATION AVE

Mr. Haddad read the public hearing notice into record.

Mr. Degen moved to open the public hearing. Mr. Pease seconded the motion. The motion carried unanimously.

Mr. Andrew McElroy said that the original approved liquor license for 20 Station Ave was for the first floor but added that they would like to add the 2nd floor to the license to allow for additional dining space. Mr. McElroy said that they would like to amend the premise to reflect the second floor, change the entity on the license from one entity to another and make Michael Winthrop the Manager on record. Mr. Pease asked about the patio space. Mr. McElroy said that the current license already accounted for the patio. Mr. Degen asked how many seats there were in total. Mr. McElroy said that there were 200 seats between the two (2) floors and a few more outside. Ms. Julie Andrews of 17 Station Ave asked what time the restaurant would close. Mr. Winthrop said they had an idea for hours but were working it out still. Mr. Russ Burke suggested leaving a cushion beyond when kitchen closes for folks to finish their beverage or order one last one. Mr. Haddad said that they could work the hours out and revisit this when the license was up for annual renewal in December.

Ms. Pine moved that the Board grant the requested transfer of liquor license from Groton Center Station, LLC to Station House Restaurant, LLC, to alter the premise to include the 2nd floor and change the manger listed to Michael Winthrop. Mr. Pease seconded the motion. The motion carried unanimously.

TOWN MANAGER'S REPORT

3. Mr. Haddad said that it was time to review the first draft of the 2018 Fall Town Meeting Warrant.

Mr. Haddad said that Article 1 was a Citizen's Petition to change the wording on the All Are Welcome markers. Ms. Pine said she wanted to make sure they had a discussion on the order of the articles. She said that they had two (2) citizens petition articles and thought they had always been placed at the end of the warrant. Mr. Haddad said that it was the Board's tradition to put citizen's petition at the end of the warrant but Mr. Degen had asked that it be placed at the beginning of the meeting. Mr. Degen said that the reason he asked for it to be at the beginning was to place this when attendance was the highest. He said it was a hot button topic and thought it would be best to have it at the beginning. Ms. Pine asked about the wording of the summary. Mr. Haddad said that the wording was submitted with the citizen's petition adding he doesn't make edits to citizen's petitions. Ms. Pine said she thought it should be changed. Mr. Haddad said they had not right to do that per state law. Ms. Pine asked about inserting a separate summary or a note that stated the summary came from the proponents not the Board of Selectmen. Mr. Haddad said that they did have the right to do that. Mr. Pease suggested that if wording was to be added as suggested, that it be made to every citizen's petition moving forward.

Article 2: Prior Year Bills – Mr. Haddad said there were none at that time.

Article 3: Amend FY18 Budget – Mr. Haddad said that there was currently not a line item for clerical work/minute taking for Boards approved by the Selectmen. Mr. Haddad said that they could handle this now or wait until the spring town meeting. He that if this was something that would be permanently funded he would like to do it in the fall which would help in planning next year's budget. Mr. Haddad said that there was also going to probably be a shortage in the Police budget due to the incident on Friday. Mr. Pease said he thought they should put this on in the spring but thought the clerical item should be put on now. Mr. Haddad said that he also needed additional money put into the Town Clerk's wages for Fran Stanley's time. He added he would have a complete list at the public hearing the next week.

Mr. Haddad took a minute to comment on the professionalism of the Police and Fire Departments adding they were second to none. He said they dealt with an incident they had never dealt with before adding that the District Attorney was also very proud of them. Mr. Degen said he could not agree more.

Article 4: Sewer Fund transfer

Article 5: Capital Stabilization Fund – Mr. Haddad said that they needed to add \$425K to meet their financial goals.

Article 6: Stabilization Fund – Mr. Haddad said that this was their "rainy day acct" and was recommending a transfer of \$10K into the fund to get it to the 5% threshold that was stated in their financial policies. Mr. Haddad explained how free cash was certified. Mr. Pease said that the Fall Town Meeting required a majority vote to fund the funds but at the spring town meeting, a 2/3rd vote was required to spend money on capital items.

Article 7: Senior Center Design – Mr. Haddad said he was anticipating bids would come in around \$400K adding they would have an exact amount prior to town meeting. Mr. Haddad said he was recommending that \$175K come from receipts reserved (sale of Old Center Fire Station and Tarbell School) and \$225K from free cash. Ms. Manugian asked about the Committees needs and wants and whether they had been separated and discussed. Mr. Haddad said that this had been discussed amongst the Committee and with potential architects.

Article 8: Create GDRSD Capital Stabilization Fund – Mr. Haddad said that he wanted to create a Town of Groton capital stabilization fund for the school district and start salting money away. He said he would not have a recommendation until free cash was certified. Ms. Marlana Gilbert said she appreciated the Town wanting to be ready. Mr. Haddad said he hoped the district would list out what capital items they would be asking for Ms. Gilbert said that the School Committee had been talking about having a separate capital budget from their operating budget.

Article 9: GDRSD Phone System and Internet Infrastructure – Mr. Haddad said that Groton’s portion of the cost for this need was \$346,860. Ms. Gilbert said she was confident Dunstable would fund their share but wouldn’t be funded if Dunstable didn’t fund it. Mr. Degen asked what the funding mechanism was. Mr. Haddad said that it depended on what they used free cash for. He said he wrote the article to include an option to borrow if needed. Ms. Manugian said that this was a much-needed upgrade.

Article 10: Cyclical Inspections – Mr. Haddad said that this was a Board of Assessors article. He said that the plan was to do a full measure and list of 800 properties per year over the next five (5) years with an annual cost of approximately \$22K. Mr. Haddad suggested that this be added to the operating budget adding it would be a recurring cost.

Article 11: Complete Streets Engineering – Mr. Haddad said that the Committee was requesting \$45K for engineering costs as part of the Complete Streets Grant requirements.

Article 12: Feasibility Study for Highway Garage – Mr. Haddad said that some deficiencies had been pointed out in audit adding that the Highway Garage was in tough shape. He said that he and Mr. Delaney were looking for \$40-50K to conduct a feasibility study. Mr. Degen talked about holding off on this until the spring. Mr. Haddad asked the Board to leave it on the warrant and talk to Mr. Delaney about it next week.

Art 13: Offset the Tax Rate

Articles 14 & 15: Four Corners Sewer Fund Establishment – Mr. Haddad said that they needed to set up and fund the account from January through June 30, 2018 because there was currently no budget for this.

Article 16: Polling Locations – Mr. Haddad said this was brought forward by Mr. Petropoulos. Ms. Pine asked if there were any restrictions and if they needed this. Mr. Haddad said he thought that because it could be controversial, Mr. Petropoulos wanted to get a sense of the Town's feeling on this. Mr. Degen asked that Mr. Haddad speak to Town Counsel about this. Mr. Pease thought this was something the Town Clerk should propose, not a selectman.

Article 17: CPC Fund Request – Mr. Haddad said that this was a placeholder and thought the article might get pulled.

Article 18: CPC Appointments – Revision to Bylaw

Article 19: New Bylaw Proposal – Mr. Haddad said that this new proposed bylaw would give the DPW & Police Department the right to enforce and fine those for throwing trash and snow in the street and along the sides. Mr. Degen said he didn’t agree with the language about private property and obtaining written permission. Mr. Haddad said he would review it and talk to Mr. Delaney.

Article 20: Chamberlins Mill Lane Road Acceptance

Article 21: Mr. Haddad said that they received notification from the proponent for a second citizen’s petition the day the warrant closed. He said that the proponent met with the Planning Board who did not support a request for them to sponsor the article. Mr. Haddad said that he received 10 signatures that day and asked the Board to consider opening the warrant to add this article.

Mr. Pease moved to open the 2017 Fall Town Meeting warrant. Mr. Degen recused himself from the vote and discussion. Ms. Pine seconded the motion. The motion carried unanimously.

Mr. Haddad said that Mr. Steve Palmer, the proponent, would like to rezone the old Sacred Heart Church from RA to commercial zoning to make it a Celestial Theater.

Ms. Manugian moved that they add an article #21 by Citizens' Petition from RA to VCB. Ms. Pine seconded the motion. The motion carried unanimously.

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

Ms. Pine said she was still undecided as to placement of articles. Mr. Haddad said that they had up until the day the warrant goes to print to decide.

OTHER BUSINESS

Mr. Haddad said that Town Counsel issued an opinion that said GDRSD was not considered a multi-member town board under the Town's Charter. He said that the School Committee received an opinion from their attorney who disagreed with Town Counsel. Mr. Haddad said that Town Counsel read the opinion of the District's attorney but did not change his opinion citing that the District was a separate legal entity. Mr. Pease asked if any of this really mattered. Mr. Degen said it didn't matter for this town meeting because Mr. Pease had sponsored the District's article. Ms. Pine said their board should never put themselves in a position of trying to enforce what their counsel said. She said if they needed to take a vote or make a statement, she was in favor of doing that. Mr. Haddad said that nothing prohibited the District from submitting an article, it was whether the Selectmen had the right to pull the article. Mr. Haddad said he did think the Board needed to clarify their position. Mr. Degen thought they could make it a standing policy until the Charter was due to be revised. Ms. Gilbert said she appreciated what she was hearing.

Mr. Haddad said that there was concern raised at the last meeting of the Audit Review Committee. He said that there were 2 Selectmen sitting on the Committee and Ms. Manugian, now a third Selectmen, was sitting as the School Committee's representative. Mr. Haddad asked the Board to consider changing the makeup of the Committee. Mr. Degen said he would resign from the Audit Review Committee. Mr. Haddad said he would ask the School Committee to designate a member to serve.

Mr. Haddad said that he received a request from the Park Commission to set up a gift fund and to accept \$550 remaining from an Eagle Scout Project. He said he needed the Board to vote to create a gift fund.

Mr. Pease moved to create a solar light flag pole gift fund for purposes of prolonging the life of an Eagle Scouts contribution to their town. Ms. Manugian seconded the motion. The motion carried unanimously.

MINUTES

Ms. Pine moved to approve the Regular Session meeting minutes of August 28, 2017. Mr. Pease seconded the motion and provided a couple of corrections. Mr. Pease moved to accept the minutes as amended. Ms. Manugian seconded the motion. The motion carried unanimously.

The Executive Session meeting minutes were tabled until the next meeting.

Mr. Degen adjourned the meeting at 9:20pm.

Approved: _____
Alison Manugian, Clerk

_____ respectfully submitted,
Dawn Dunbar, Executive Assistant

Date Approved: 9/25/17