

**BOARD OF SELECTMEN MEETING  
MINUTES DECEMBER 18, 2017  
APPROVED**

**BOS Members Present:** Joshua A. Degen, Chair; Barry A. Pease, Vice Chair; Alison S. Manugian, Clerk; Rebecca H. Pine, Member; John G. Petropoulos  
**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 read a notice from the Police Chief on an online safe zone located at the Police Station.

**TOWN MANAGER'S REPORT**

1. Mr. Haddad asked the Board to consider approving the following annual licenses:

- Country Butcher & Deli, Inc., Kenneth Demers, Manager  
Located at 68 Boston Road  
CVL  
Hours of Operation: Mon - Wed 10:00 AM – 6:00 PM, Thurs & Fri 10:00 AM – 7:00 PM, Sat 10:00 AM – 5:00 PM  
License to expire on December 31, 2018
  
- RiverCourt Residences, Sharon Amadon, Manager  
Located at 8 West Main Street  
CVL  
Hours of Operation: 24/7  
License to expire on December 31, 2018
  
- The Natural Market, Inc., dba The Natural Market, Joan Reardon, Manager  
Located at 148 Main Street  
CVL  
Hours of Operation: Mon to Sat 9:30 AM to 6:30 PM, Sun 11:00 AM to 5:00 PM  
License to expire on December 31, 2018
  
- Salt & Light, Café, Josiah Coleman, Manager  
Located at 159 Main Street  
CVL  
Hours of Operation: Mon - Fri 6:00 AM to 4:00 PM, Sat 7:00 AM – 4:00 PM  
License to expire on December 31, 2018

*Mr. Petropoulos moved to approve the licenses as read. Ms. Pine seconded the motion. The motion carried unanimously.*

Mr. Pease said he sent out a plethora of information that day relative to the CVL license for the Groton Exchange.

Mr. Degen recused himself from the discussion.

Mr. Pease said that the Board had the ability to restrict licenses that were not paid up to date on their taxes. He said the non-payment of taxes for this property was brought to his attention last Wednesday and he in turn asked Town Counsel for an opinion which was received earlier that day. Mr. Haddad said that the bylaw stated the Board could not issue licenses to anyone who was in arrears in taxes. He said they had been trying to work out some sort of an arrangement with the owner. Ms. Pine said they approved a license for Dunkin Donuts the week before. Mr. Pease said there were two (2) entities that sell food within the establishment. Mr. Pease said that it appeared there was an agreement between the tenant and the owner adding there was an at will arrangement of lease. Mr. Pease said he received a commitment that the Town would receive taxes in arrears once the owner's situation had been cleared up.

Mr. Petropoulos asked if they could approve the license and take it back if this didn't get resolved. Mr. Haddad said they could.

*Mr. Petropoulos moved that they approve the CVL for Groton Exchange. Mr. Pease seconded the motion.*

Ms. Pine asked about granting the license for a shorter period of time. Mr. Petropoulos said that Mr. Haddad would keep an eye on it.

*Mr. Degen suggested grating the license for the year pending review in May. Mr. Petropoulos amended his motion to include Mr. Degen's suggestion. Mr. Pease seconded the amendment. The motion carried unanimously.*

### **7:15PM - LIQUOR LICENSES HEARING FOR 128 MAIN STREET, LLC**

Mr. Haddad read the public hearing notice into the record. He said that the hours of operation for the Inn would be 7:00am-1:00am seven days a week and the hours for the restaurant would be from 11:00am-1:00am seven days a week.

Attorney Brian Akasian and Groton Inn General Manager Warren Francis were present. Attorney Akasian said they were there to request an inn keepers license (hotel license) and a restaurant license for the Groton Inn. He said that the General Manager had extensive experience running restaurants and inns and had done so since 1985. Attorney Akasian said that members from the Migus Hotel Group were also present and would be assisting in the operations of the Inn. Mr. Petropoulos asked if they planned to serve alcohol throughout the entire hotel. Attorney Akasian said that the request included the entire Inn, the courtyard areas, the front porch and the deck along the entire hotel. Mr. Degen said he noticed on the application that the Manager had never been manager of record on a liquor license and asked if he was TIPS trained. Attorney Akasian said he had not been named manager on a liquor license but was TIPS trained as would all employees serving alcohol.

*Mr. Pease moved to close the public hearing. Ms. Pine seconded the motion. The motion carried unanimously.*

*Mr. Pease moved that the Board approve the two (2) license applications, one for 126 Main Street and the other for 128 Main Street for an innholders (hotel) license and an on-premise restaurant license with the hours of operation as discussed along and approve the manager as requested for both licenses. Ms. Pine seconded the motion. The motion carried unanimously.*

### **TOWN MANAGER'S REPORT**

1. Mr. Haddad said that the Board had received an OML complaint from Mr. Alan Hoch relative to the executive sessions concerning the Indian Hill building permit. He said that Town Counsel had recommended that the Board take the same stance they did they week prior and if that was what the Board choose to do, he would draft letters to the complainant and the Attorney General notifying them as such.

*Ms. Manugian moved that they formally respond that this was a similar situation as the previous complaint adding there was no violation of the OML and to ask the Town Manager to respond as such. Mr. Pease seconded the motion. The motion carried 3-2 in favor with Petropoulos and Pine opposed.*

2. Mr. Haddad said that a third OML violation had been submitted by Mr. Alan Hoch against him (the Town Manager). Mr. Haddad said that the complaint was alleging that he (the Town Manager) had disseminated an email to the Board that obtained one members opinions. Mr. Haddad said he was publicly stating that he did not violate the OML and had attached a letter in their packet responding as such. Ms. Manugian said they had discussed that email in executive session and the reason it was attached to the already released meeting minutes. The remedy when it was discussed was to release the email and spreadsheet when the minutes were released.

### **7:30PM - AUDIT REVIEW COMMITTEE**

Mr. Kevin Brogan introduced himself and said he was there to present the findings of the Municipal Audit. Mr. Brogan reviewed the need for the audit and said out of four (4) respondents to the RFP for services, the Committee unanimously selected Matrix Consulting Group to perform the audit. He said that Matrix conducted numerous interviews and collected

data from various surveys, that they had compared Groton to best practices, industry standards and comp towns selected. Mr. Brogan said that some highlights noted by Matrix was that the Police Dept. was adequately funded and may have surplus capacity, that the Library was generously funded compared to its peers, that the Country Club could benefit from a marketing campaign and a 5 and 10 year capital plan, and that the DPW could be more efficient if it implemented a work order and inventory control system. Mr. Haddad said that the DPW work order system had already been implemented. Mr. Brogan said that there were no major variances from best practices observed and thought the Town was well run from an operational standpoint. He said that the next step was for the report to become a living document, that department action plans be implemented and that those plans be monitored.

Mr. Degen said complemented the Committee for how hard they worked. He said this was a good report and a very important exercise. He thought they should set up a separate time to review the recommendations and see if anything should be dismissed out of the gate. Ms. Pine said she was impressed with the report. Mr. Pease asked if there were any recommendations based on the survey data. Mr. Petropoulos said he did not believe so. Mr. Haddad said that the survey was more for informational purposes. Mr. Petropoulos said that the Committee paid more attention to the survey than Matrix did in his opinion. Ms. Manugian said it was a great working group with great results. She thought it was a great first step with a lot more to do. Mr. Pease said he thought the Town was a different place than it was a year ago and asked if the Committee had any ideas on the future and how they were aligning. Mr. Brogan said he didn't see it as a strategic plan but as an operational assessment. He said he thought it would be valuable to they moved toward a strategic plan.

Ms. Gilbert said he was put on the Committee as a School Committee representative. She thought that compared to the RFP the District issued for their audit that the municipal audit fell short. She said she was a little upset that the Fire Department was excluded from the audit (because they were doing their own). She said their SPED department was audited even though DESE had done an extensive audit not too long ago. Mr. Richard Lewis said he thought the report was well done but did not mention anything about the elderly. Mr. Petropoulos said that this was an assessment on the delivery of services as compared to other towns. Ms. Connie Sartini asked how many surveys were completed and if controls were put in place to avoid not responding more than once. Mr. Pease said that 522 responses were received and controls were in place. Mr. Robertson said that the Town was found to be effective and efficient. He said they had good managers running the departments adding the results was what he would have expected and a good indication that they were a well-managed town. Mr. Degen asked what the next steps were. Mr. Haddad suggested that they send the audit results to the department heads for comment. Mr. Pease asked if they should accept the report. Mr. Degen said he had no problem accepting the report but didn't want to accept all the recommendations just yet. Mr. Haddad asked if they should wait to receive input from department heads first. Mr. Degen agreed and asked that the departments respond by January 19th.

Mr. Degen asked if they should disband the Committee or keep them active. Ms. Manugian thought it might be a good opportunity for some of those folks to step forward to work on strategic plan committee. Mr. Degen thanked the Committee members for all they had done.

*Mr. Petropoulos moved to disband the Operational Audit Committee. Mr. Pease seconded the motion.*

Mr. Brogan said that the audit report findings were a testament to hard work of Mr. Haddad and the team of employees that work for the Town.

*The motion carried unanimously.*

### **TOWN MANAGER'S REPORT - CONTINUED**

3. Mr. Haddad said that Mr. Pease had requested at the last meeting that he provide the Board with an update on the negotiations with the Friends of Prescott. He said that the negotiations were currently on hold because of an issue that had arisen relative to the reuse of Prescott. He said that the response to marketing efforts led by Friends had been encouraging but as a result of those efforts, it had been called to their attention that the proposed mixed use would trigger building code compliance issues that may be unaffordable for the Friends over the next several years. He said that this would cause Friends to change their near-term business plan and may affect the way a lease would be constructed. He said that Friends had consulted with Attorney Collins who would be meeting with the Building

Commissioner to determine the parameters of the permissible uses. He said he would update the Board once that meeting had taken place. Mr. Petropoulos congratulated Friends for their recent efforts but thought they needed to let Attorney Collins meet with the Building Commissioner before discussing this further.

4. Mr. Haddad said he took all comments on the Board's goals and objectives and incorporated them. He said it the Board was acceptable of them, they should consider approving them that night.
5. Mr. Haddad said that he would make his budget presentation on January 8<sup>th</sup> with the Finance Committee and Board meeting in joint session.

### **8:15PM – LOST LAKE WATERSHED ADVISORY COMMITTEE ANNUAL REPORT**

Art Prest, and Carl Nielson of ESS were present.

Mr. Prest started by saying that the watershed was 14x's the size of the lake adding that the watershed flowed into the lake one way or another. He said that the prime problem was the watershed and nutrients coming from it dumping into the lake. Mr. Nielson said that the phosphorus entering the lake needed to be controlled and if not, it recirculated within the pond and continues to enter into it. He said that their study focused on the phosphorus coming from Martins Pond Brook from various run offs, surface water in the lake, sediment, etc. He said the report focused on how to make meaningful impacts in water quality. Mr. Nielson said that 63% of run-off was coming from residential areas adding they were not talking about septic systems but about stormwater runoff. They discussed briefly to need to manage it but educating residents and looking at stormwater solutions. Mr. Nielson talked about applying alum applications to help with the phosphorus levels adding that there would be 8-12 years of benefit doing that.

Ms. Manugian said she appreciated all the information and asked about fertilizer bans and the efficacy of it. Mr. Nielson said that Massachusetts just recently banned fertilizer and phosphorus. He said that some towns had specific stormwater regulations in place that ensures developments moving forward focus on removing phosphorus sediments. He encouraged the collection of rainwater on a site by site basis. Ms. Manugian asked if it was feasible to get to a safe level with all the rain that enters the lake. Mr. Nielson said that most lakes could handle rain water. Ms. Manugian asked how much was impacted by the man-made nature of the lake. Mr. Nielson said that all lakes aged and many lakes in Massachusetts were man-made. He said that alum would slow the process of having to dredge the lake. Mr. Prest said that he thought Tom Delaney and the DPW could help them a lot adding that rip rap could be installed to help with some of the run off. He also thought they could work in conjunction with Brad Harper and the Lakes Association on this. He said that the real question was how they go about getting the rest of the town involved in this mitigation. Mr. Degen asked what effect the sonar treatment had on creating phosphate loading. Mr. Nielson said that sonar made plants slowly die and decay which releases nutrients within the plants. He said that sonar stops that from happening in the fall like they would naturally. He said that would not have added to it. Mr. Degen asked what effect alum treatment had on drinking water. Mr. Nielson said that alum was used to manage water clarity by many companies and there was no issue using it. Mr. Pease said that the watershed area was large and asked if it made sense to create a watershed zone when it came to permitting projects within it. Mr. Nielson said that those things could be worked on or improved over time to help with phosphorus reduction. Ms. Pine said she was impressed by the study and thought they should explore treatment and mitigation available to them. Mr. Petropoulos said that the presentation was very clear and felt good about where they were on this topic. Mr. Petropoulos asked if the ERSWAC could look at phosphorus nutrient loading within their policies. Mr. Brad Harper said that this was a great report and asked if any of the watershed went outside of Groton's borders. Mr. Nielson said he didn't think so. Mr. Harper asked why hydro-raking was not recommended. Mr. Nielson said he wouldn't recommend it for Baddacook but added he didn't study Baddacook. He said it didn't look like it would help at Lost Lake because of the large root system.

### **BOARD'S GOALS AND OBJECTIVES**

The Board accepted goal 1A.

Mr. Pease thought that goal 1B was challenging the way it was written. He said they may not be able to include them in a strategic plan. Ms. Pine thought that if they didn't incorporate the audit into the strategic plan, it might get lost. Mr.

Petropoulos said there was value in having a quarterly review of the audit findings. Mr. Degen said they could have a standalone goal for the audit. The Board was amenable to that.

Mr. Degen said that goal 1C spoke for itself. Ms. Pine thought the timeline was too far out. Ms. Manugian agreed it needed to be accomplished in 2018. Mr. Haddad said that the dates were way out there because they were about the FY19 budget in a week. Mr. Haddad said that this goal was to build on the relationship that already existed. Ms. Manugian thought a cohesive document needed to be presented at the 2018 spring town meeting. Mr. Haddad said he was not sure it could be ready. Ms. Manugian said she thought prioritization needed to happen between the two (town and school). Mr. Haddad said that they were trying to incorporate the needs of the schools and had been over the past few years. He said that the needs of the schools were in fact hurting the municipal side. Ms. Manugian thought if they presented a capital budget that didn't talk about Flo Ro they were being remiss. Mr. Degen said he understood Ms. Manugian's concern was leaning more towards what Mr. Haddad was saying. He said he was fine with the way it is written. Mr. Degen suggested taking the goal out and discussing it further at their meeting on January 22<sup>nd</sup>.

Mr. Haddad said goal 1D was well under way.

Mr. Degen said goal 1E was repetitive to what the EDC was doing. This was removed.

Ms. Pine said that goal 1F should include conflict of interest training. Mr. Haddad said that was the Town Clerk's responsibility.

Ms. Pine read proposed language for altering goal 2A. Mr. Degen said he was not comfortable with that. He said that this was the present years goal. Mr. Pease said that there had to be a middle ground that said something about avoiding having warrant articles that would request money. He said that Prescott was to be a self-sustaining asset. Ms. Manugian said that the wording proposed allowed for back and forth between the committee and the public. Mr. Petropoulos said that the intent was to have the Board help Friends be successful without being a financial burden to the Town. Mr. Degen said he didn't want to see this become part of the expense budget because it was a town owned facility, beyond the request for CPC money. Ms. Pine said it was everyone's goal to not have this cost the Town money. She said this should be something they state they want to see succeed. Mr. Degen asked why Friends shouldn't be doing the work themselves adding it was either sink or swim. He said he didn't want to see them throw money above and beyond what the district was covering. Ms. Manugian said she didn't want it left so open. Mr. Petropoulos said this stated they would do what they could adding that town meeting would get the final vote.

*Mr. Degen moved that goal 2A be removed. Ms. Manugian seconded the motion. Mr. Degen withdrew his motion and asked that it be placed on the January 29<sup>th</sup> agenda for further discussion.*

Mr. Haddad said goal 3A was in process. Ms. Manugian said that moving toward a bonus structure may be a problem in the future.

Mr. Petropoulos withdrew goal 3B.

Mr. Pease said he was already working on goal 3C.

Mr. Degen moved to approve the 2018 goals and objectives with the exception of the two goals they moved to January for more discussion. Mr. Pease seconded the motion. The motion carried unanimously.

Mr. Degen adjourned the meeting at 10:00pm.

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

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

Date Approved: 01/16/18