

**BOARD OF SELECTMEN MEETING
MINUTES APRIL 2, 2018
APPROVED**

BOS Members Present: Joshua A. Degen, Chair; Alison S. Manugian, Clerk; John G. Petropoulos, Member; Rebecca H. Pine, Member

Members Absent: Barry A. Pease, Vice Chair

Also Present: Mark W. Haddad, Town Manager; Dawn Dunbar, Executive Assistant

Mr. Degen called the meeting to order at 7:30pm and reviewed the agenda.

ANNOUNCEMENTS

Mr. Degen said that all individual Town Manager reviews had been completed. He said he had 14 days from today to compile them and tabulate the sections at which point he would bring it back for discussion.

TOWN MANAGER'S REPORT

1. Mr. Haddad introduced West Street resident Mike Woods to discuss a petition he submitted to the Board regarding traffic concerns on West Street. Mr. Woods explained how a high number of cars used West Street as a right turn to get to Farmers Row and avoid Main Street. He explained how the placement of some of the directional signs on Main Street caused confusion adding that it was because the parking lot for old Sacred Heart church looked a lot like a street. He said that the residents and parents of young children on the street all had similar concerns adding it was a safety issue and suggested the possibility of making West Street a no right turn street. Mr. Delaney said he was not sure how enforcement would work and tossed out the idea of making Whiting Ave one way from Elm Street. Mr. Delaney said that if it was made a n right turn, people could still turn left onto West Street and come across from School Street. Mr. Delaney said they could move one of the signs on Main Street to make the other signs more visible. Mr. Degen suggested the possibility of installing a dead end sign on West Street which could make it a huge deterrent.

Mr. Degen move to open the public hearing scheduled for 7:15pm. Ms. Manugian seconded the motion. The motion carried unanimously.

Mr. Degen move to suspend the public hearing until the conclusion of this discussion. Mr. Petropoulos seconded the motion. The motion carried unanimously.

Ms. Manugian asked if they had the right to move the speed limit signs because it was on state road. Mr. Delaney said that they could move it so it was under the sign for 111. Ms. Manugian asked what the process was in terms of traffic count to try to quantify this more objectively. Mr. Delaney said that the Police Dept. had equipment to track car counts and speeds. Mr. Haddad said he thought this was a good first step and if they Board wanted them to do a traffic count, they could do that and move the speed limit sign in the meantime. Mr. Haddad asked the Board to provide them with two months to collect and review the data. Mr. Mark Gerath, a resident of the West Street area, said he wanted to endorse Mr. Woods premise adding he thought a dead-end sign seemed to be a reasonable solution. Mr. Woods said that it sounded like a home run but couldn't speak for his neighbors. A resident from 21 West Street endorsed this as well. A resident from Whiting Ave pointed out the fact that there were no speed limit signs on Whiting or West Streets. Mr. Delaney said that an unposted area was 30mph.

WARRANT PUBLIC HEARING

Mr. Petropoulos moved to reconvene the public hearing. Ms. Pine seconded the motion. The motion carried unanimously.

Mr. Haddad said that they had reached out to firms to provide them with quotes to conduct a Code Compliance Review of the Prescott School. He said that the quote had come in at \$12K. Mr. Haddad said that if this was something the Board wanted to proceed with, he would need to figure out how to pay for this suggesting a reserve fund transfer. He said that the Board also needed to make a decision on what to recommend for a budget for the Prescott School. He said he wanted to leave the article on the warrant requesting funding adding he didn't want to artificially increase the operating budget if this

was only going to be a one-year appropriation adding this would allow them additional time to determine the future of the building. He explained that at a minimum, they would need to ask for \$17K to insure the building should it be vacant and \$32K if they decided to lease and operate the building. He said he needed to know if they wanted to move forward with this and if they wanted to transfer money out of free cash for one fiscal year or the capital stabilization fund.

Mr. Petropoulos said he thought this should be funded out of the regular budget because it was a town building. Mr. Degen agreed that because it was a town owned building they had an obligation to maintain things they owned. Mr. Haddad said that because the Finance Committee had already voted the budget they would have to open the budget and increase the municipal buildings budget by \$32K. Ms. Manugian said she was okay with adding maybe up to \$17K to insure the building but not okay with increasing the operating budget up to \$32K. Ms. Pine said that they were not obligated to spend the entire \$32K if they put it in the operating budget adding the report could come back allowing them to negotiate a lease. She said she was comfortable adding \$32K to the budget. Mr. Delaney said he was concerned that there could be unknown costs not accounted for in that \$32K number. Mr. Haddad said that the estimate was for electricity, heat and insurance but did not include custodial care. He said that would be the responsibility of the tenant. Mr. Robertson said that the Finance Committee had voted to have this come out of free cash and not place it in the operating budget. He said they looked at this as a one-year cost for the time being until they understood the future of the building and its use. Mr. Petropoulos said that it was in theory a one-year problem but thought they should count on owning the building and manage it to its best possible use. Mr. Robertson said that was something they would decide in one year. He said that the Town needs to decide if it wanted to support this for one year or spend way more to renovate it. Mr. Delaney said they would also have a better idea on hard and soft costs after one year also. Ms. Pine said she didn't have strong feelings about using free cash or having it in the budget adding she would feel bad asking the Finance Committee to meet again to discuss this.

Mr. Haddad said that the CPC had proposed amounts to be placed in each of the buckets contained in Article 20. He said that these numbers were based on very preliminary 10% matching funds from the state. Mr. Degen asked what the balance at end of FY18 was. Mr. Easom said there was just over \$1M in the bank at the end of FY18.

Mr. Haddad said that CPC Proposal A was a request to fund the Housing Coordinator out of the housing bucket as they had done so over the last few years. Mr. Haddad said that this was a very good position and asked the Board to consider supporting it.

Mr. Haddad said that CPC Proposal B was a request from the Old Meeting House Preservation for \$41,600 to do some restoration work. He said that they had received an opinion from Town Counsel on whether funding could be used for this purpose. He said Town Counsel thought it could be used for this purpose. He told the Board that the SJC had recently handed out a decision on this same topic (the use of public money for church purposes) but it hadn't been broken down and understood fully yet. He added that the Town of Acton had spent \$250K litigating this issue so far. Mr. Haddad said that if the building was no longer being utilized for its purposes (religious or educational) ownership would revert to the Town. Ms. Leslie Lathrop said that the building was currently owned by First Parish Church and being used as a church. She said this was not through the courts yet and thought there was going to be a high bar set to giving public money to churches. She said she could see one religion being pitted against another with this.

Ms. Pine asked if the CPC turned down applications and if they ranked the applications. Mr. Easom said they had turned down the river walk (they did not have proper easements and permission from landowner), doors at library, and money for the conservation fund. Mr. Easom said that the first step in the process was whether the application meet the requirements of the CPA, secondly was the scoring stage which was based on number of criteria that were scored between 1 and 5. Ms. Pine asked if there were controls in place that ensured funds were used for the purpose designated. Ms. Haddad said that the bids had to be received and signed off by him as Chief Procurement Officer before anything was funded. Ms. Pine said that this topic was deeply difficult and people had many opinions. She said that this building was a historic building for the Town adding it was the Town's town hall at one point and thought that preserving it was a value to the Town. Mr. Petropoulos asked if there were matching funds on this project. Mr. Steve Lieman said that the final amount had been reduced from what the original ask was for. He said that there were matching funds and a lot more work that was not listed in the application adding they had commitments for \$55K in private donations. He said they were also waiting to hear back from a number of grant programs. He said that the total project cost was about \$130K. Ms. Manugian asked if the money was to not be granted,

if the rest of the project would go forward. Mr. Lieman said that they would need to look at all the pieces if that was the case and postpone some if they could not raise the funds. Ms. Lathrop argued that the church had already received over \$200K from the Town's CPA funds adding the building was not owned by the Town. Ms. Pine disclosed that she was a member of the church.

Mr. Haddad said that CPC Proposal C was a funding request for Prescott School. Ms. Manugian asked what the status of monies was they had granted in past rounds. Mr. Delaney said they were almost done with phase 1 and working on phase 2. Ms. Jennings said that the current application was for the install of a sprinkler system. She said that these would protect the building no matter what the code dictated. She said they were told by the State Building Inspector said it would enhance the building. She said that the Friends was also prepared to seek a matching grant to reduce the cost of the project. Mr. Easom said that the CPC voted 5 in favor and one abstention to recommend the project. Mr. Petropoulos said that the request for \$275K was for the entire sprinkler project adding that if work commenced before the receipt of a grant they would not be eligible. He said they were also told by the State Building Inspector that the installation of a sprinkler system would solve all their problems with code issues. Mr. Degen said he had an issue expending town funds for a building that may not be in the hands of the Town. He said they needed to know what the ultimate disposition of the building was adding he didn't want to see them deplete the funds prior to knowing what they would do with the building. Ms. Jennings said that this was a joint application with the Town and that there was no obligation to spend this money. Mr. Petropoulos said that if they failed to approve a sprinkler system, they would lower the probability of getting a change of use from the State Inspector. Mr. Degen asked if they could get something in writing from their building inspector and the state inspector saying that sprinkling the building would allow them to enter into a lease and obtain the change of use. Mr. Haddad responded that they could. Mr. Petropoulos said that it was not necessary adding that the state appeal is 99% likely to grant a change of use if they sprinkler the building. Ms. Pine agreed that voting to approve this at town meeting did not require them to spend the money adding this was a first step. Mr. Prest asked if they could make the funding contingent on the engineering study and determination from the State Building Inspector. Mr. Haddad said he was not sure about making it contingent adding they would have to check with Town Counsel. Ms. Pine said there were controls in place by the Town Manager as far as expending money adding they didn't need to seek an opinion from Town Counsel. The Board agreed.

Mr. Haddad said that CPC Proposal D was requesting funding to move some murals. Mr. Al Collins provided a history of the murals located in the Oliver Prescott House. He said that they had been gifted to the history center but they have to remove them. He said that the murals would be moved to the Groton Inn where they would be put on display and protected through insurance and fire suppression (covered by the Groton Inn) and available for the public to view during their open hours. He said they were looking to eventually get them restored to what they were once before. Mr. Petropoulos said he thought this was a wonderful project and could see why they were giving them to the Groton Inn. He asked if there were plans to relocate them. Mr. Collins said that the murals were an asset to the people of Groton and could not currently be seen by anyone. He said that the Groton Inn was housing them for free and would not own them. Mr. Easom said that the CPC vote was unanimous with the exception of one abstention. He said there was also a condition in the motion that no distribution of funds be expended until the deed of gift was executed appropriately.

Mr. Haddad said that Proposal E was requesting funding for the Baddacook Pond Restoration. Mr. Jim Luening said this was a 3-year project adding there was not enough money last year to fund this. Mr. Degen said how much of a difference he had seen over the last couple of years.

Mr. Degen recused himself on the next article.

Mr. Haddad said that Proposal F was requesting funding to pump air into Duck Pond to help with eutrophication. He said that the CPC voted earlier that night to have this funded out of the FY 18 funds. It was explained that the weeds were being driven by the phosphorus like other ponds adding that the bubbles caused by the air being pumped in would help with the weeds and wildlife. Mr. Haddad said that there would be ongoing maintenance and compressor electricity costs.

Mr. Degen rejoined the meeting.

Mr. Haddad said that Article 28 set in place the bylaws for the Four Corners Sewer District. He said that the Board of Health wanted to mandatory hookups and added he was opposed to this within this district. He said there were a couple of businesses that didn't generate a lot of sewer and would put an undue hardship on them. Mr. Jim Gmeiner said that in the Center District, if a system was in failure, Title 5 required them to connect to sewer. He said they would also be required to connect if they failed to demonstrate a complaint Title 5 system which must be tested on a yearly basis. Mr. Petropoulos suggested they not be a non-business friendly town. Ms. Pine asked about the variance provision. Mr. Haddad said that was the section the Board of Health wanted removed thus making connection mandatory. Mr. Petropoulos was in favor of keeping the variance. Mr. Degen said that the Board of Health was in charge of public health and this district was in a water resource protection district. He said they didn't want what happened in the center to happen there. Ms. Manugian said she didn't see a significant difference with the 2 versions they were provided. Mr. Degen suggested they defer this until the following week and allow the Chairs to work it out in the meantime. Mr. Gmeiner said that what they had for regulations in the Center District was a compromise that was hammered out by the Sewer Commissioners and Board of Health. He said that no one was happy with it and personally didn't want to go through this again. Mr. Haddad said that this could be hashed out on the floor of town meeting. Ms. Pine said she was in favor of a variance provision.

Mr. Haddad said that the Finance Committee voted to recommend that the Board of Selectmen consider hiring an additional School Resource Officer to provide services to the Groton Dunstable Regional School District. He said that since this District covered both the Towns of Groton and Dunstable, the Finance Committee believed that Dunstable should cover the same proportion of expense for this position as they do for the Regional School Assessment (approximately 23%). He said that he wanted to request that the Board of Selectmen open the Warrant and consider adding an article for this purpose that would not be expended unless the Town of Dunstable provided the required funding. Mr. Haddad said that they had commitments for \$40K in the budget. He said he contacted Dunstable and let their Town Administrator know they would need \$21K on an ongoing basis for this position.

Mr. Petropoulos moved that they open the warrant and add this article. Ms. Pine seconded the motion. The motion carried unanimously.

Ms. Pine asked what the SRO did when they were not working in the schools over the summer. Mr. Haddad said that they resumed regular patrols over the summer. Mr. Petropoulos said he thought this funding needed to be an agreed upon amount done between the TM and TA of both towns. He said they could be there all night deciding on an agreed upon proportionality number. Mr. Degen said that the Finance Committee had agreed on 23%. Ms. Manugian said she thought the amount should be \$15K adding it was close to 9 working months of the year and what Mr. Haddad had originally told Dunstable was needed. She said that this should be their decision and not put on their Town Manager. Mr. Degen said that Groton had paid for a lot over the years adding this was a good starting point. He said that this was forcing Dunstable to make a decision and not kick the can down the road. Ms. Manugian said that if they didn't add an article then they were left with an advisory citizens petition. Mr. Petropoulos said that they could add an article to the warrant that was non-descript and continue to discuss it and work to add the details to the motion.

Mr. Petropoulos made a motion to add an article to the warrant. Ms. Pine seconded the motion. The motion carried unanimously.

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

Ms. Manugian moved to close the public hearing. The motion was seconded. The motion carried unanimously.

TOWN MANAGER'S REPORT – Cont.

2. Mr. Haddad asked the Board to consider appointing Larry Hurley as the Conservation Commission's rep to the Sargisson Beach Committee.

Mr. Petropoulos made the motion with a term to end June 30, 2018. Ms. Manugian seconded the motion. The motion carried unanimously.

OTHER BUSINESS

Mr. Haddad said that the next step in working on Board relations was to meet as a group. He said they had scheduled meetings for Sunday, April 22 and 29 at 8am. He asked if they Board wanted him to be there for those meetings. Ms. Manugian said she felt strongly that they were meeting to refocus the Board and this was their issue. She said there was no benefit and saw a detriment to having Mr. Haddad there. Mr. Petropoulos agreed. Ms. Pine said she was torn but did think there was some wisdom in the 5 of them meeting. She said they never meet to discuss how to manage their employee and themselves. Mr. Degen said he didn't think the Town Manager needed to attend. Ms. Manugian said it was her intent to take the minutes so Ms. Dunbar didn't have to attend.

TOWN MANAGER'S REPORT – Cont.

3. Mr. Haddad asked the Board to consider taking positions and with the approval of the Moderator move articles to the consent agenda.
 - Art 1 - UNAN
 - Art 2 - UNAN
 - Art 3 - UNAN
 - Art 4 – Mr. Haddad said that the Finance Committee had voted unanimously on the budget expect for the Water Department Budget which there was one no vote. Mr. Degen asked that the budget be brought back the following week. Ms. Pine said she was comfortable approving the budget based on the Finance Committees recommendations.
 - Art 5 - 3-1 in support - JD against
 - Art 6 - Pickup Truck - UNAN
 - Dump Truck - UNAN
 - IT Infrastructure - UNAN
 - Dispatch Center Upgrades – AM-at TM; JD-support; Pine-support; JP-at Town Meeting
 - 2nd Floor Meeting Room Upgrades - 3-1in support - JP against
 - Municipal Building Repairs - AM-at TM; Pine, JP and JD support
 - Tractor Trailer - UNAN
 - Walkway at Library - UNAN
 - Cruisers - UNAN
 - Irrigation System - UNAN
 - Triplex Mower - UNAN
 - Art 7 - defer until Town Meeting
 - Art 8 - 159 West Main - UNAN
 - Art 9 - bring it back to next meeting
 - Art 10 - Snow and Ice - UNAN
 - Art 11 - Water Enterprise Transfer - \$120K - UNAN
 - Art 12 – Sewer Enterprise Transfer - \$70K - UNAN
 - Art 13 - Cable Enterprise Transfer - \$0 - UNAN
 - Art 14 - No prior year bills - defer to town meeting
 - Art 15 - Crosswalks on Main Street - \$55K - UNAN
 - Art 16 - \$32K from free cash - UNAN
 - Art 17 - AM-at town meeting; all other BOS support
 - Art 18 - JP-opposed; all other BOS Support
 - Art 19 - UNAN
 - Art 20 - UNAN
 - Art 21 -CPC Articles
 - A - UNAN
 - B - JD-no; JP-at Town meeting; AM- opposed; Pine-support
 - C - AM-opposed; JD-at town meeting; JP and Pine-support
 - D - UNAN
 - E - UNAN
 - F - JD-abstain; all other BOS support
 - Art 22 - AM-oppose; JD-at town meeting; JP-support; Pine-support

Art 23 - UNAN
Art 24 - UNAN
Art 25 - UNAN
Art 26 - UNAN
Art 27 - UNAN
Art 28 - UNAN
Art 29 - UNAN
Art 30 - UNAN
Art 31 and 32 - UNAN
Art 33 - JP-at Town meeting; Pine, AM & JD-support
Art 34 - AM-at Town meeting; all other BOS support
Art 35 - JD-no position; AM, JP & Pine-at Town meeting
Art 36 – SRO Citizen’s Petition – discussed moving this up after the budget. AM-opposed; JD-at TM; Pine-at TM; JP-opposed
Art 37 - Consent agenda - UNAN
New SRO Article - UNAN

MINUTES

Mr. Degen moved to accept the meeting minutes of March 26, 2018. Mr. Petropoulos seconded the motion. The motion carried 3-0-1 with Ms. Pine abstaining.

Mr. Degen asked for a motion to reenter executive session and reenter regular session at the conclusion of the executive session. Mr. Petropoulos made the motion. Ms. Pine seconded the motion. Roll Call: Petropoulos-aye; Pine-aye; Manugian-aye; Degen-aye

Ms. Manugian moved to reenter regular session. Mr. Petropoulos seconded the motion. Roll Call: Petropoulos-aye; Pine-aye; Manugian-aye; Degen-aye

Ms. Manugian moved that they approve the collective bargaining agreement with the AFSCME Union. Mr. Petropoulos second the motion. The motion failed with 0-4 against.

Mr. Degen adjourned the meeting at 11:03pm.

Approved: _____
Alison Manugian, Clerk

_____ respectfully submitted,
Dawn Dunbar, Executive Assistant

Date Approved: 4/23/18