

**BOARD OF SELECTMEN**  
**JUNE 7, 2004**  
**REGULAR SESSION MINUTES**  
**“APPROVED”**

**Present:** George F. Dillon, Jr., Vice Chair; John L. Saball, Clerk; Peter S. Cunningham, Member; Virginia C. Wood, Member; Robert W. Nordblom, Member; Administrative Officer Jean E. Kitchen and Kathleen Newell, Office Assistant

The meeting was called to order at 7:04 p.m.

**Reorganization of the Board**

*Ms. Wood motioned to reorganize the Board of Selectmen with George F. Dillon, Jr. as Chairman, Peter S. Cunningham as Vice Chairman and Jack L. Saball as Clerk. Seconded by Mr. Nordblom. Unanimous vote.*

**Liaison Designations**

The Board discussed the Liaison positions and determined to finalize the designations at its next meeting.

**Department of Revenue RE: Financial Management Review Report**

Mr. Joseph Markarian, Jr. and Mr. Frederick E. Kingsley of the Massachusetts Department of Revenue, Division of Local Services; Assistant Assessor Rena Swezey; Mr. Edward Kopec, Mr. Hugh McLaughlin, and Ms. Sylvia Sangiolo of the Board of Assessors; Ms. Edna White; Mr. Steve Webber; Treasurer/Collector Christine Collins; Town Accountant Valerie Jenkins were present for this portion of the meeting.

Mr. Kingsley submitted a report to the Board for its review. Mr. Kingsley stated many towns have moved towards a strong town manager/town administrator as a way to set up town government and maintain accountability. Mr. Markarian stated the Town of Groton's current staff and committee members are more than competent and doing a good job. Mr. Markarian stated there was one umbrella issue, technology. Mr. Markarian elaborated there is a demand for technology services which is going to grow and there never seems to be enough people hours to apply to technology and greater demands are made on support staff. Mr. Markarian also stated across the board employees would like to have more training in the applications in their offices.

Mr. Markarian stated consideration has been given to making the Tax Collector/Treasurer position the Town Collector and would recommend lock boxes.

Mr. Markarian stated people are drawn to Groton for a variety of reasons, i.e. bucolic atmosphere, but there is a misconception of centralized management. Mr. Markarian stated there is a need for more efficient services and they would encourage the Town to look at how to solidify good government, their recommendation would be to review Groton's by-laws and reorganize under a town charter. Ms. Wood asked for a clarification of centralized government. Mr. Markarian stated there are department heads and an Administrative Officer, as it stands now there is not one person who can make a decision, no one person who does performance reviews across the board.

Mr. Dillon asked if there were steps between what we have now and the two systems referenced. Mr. Markarian stated the vehicle which to get there is either by-laws or a charter. Mr. Markarian stated to go in any other direction than a town administrator is not a direction the Town should pursue.

Mr. Cunningham stated "it seems like we have taken the present form as far as it can go and the next step would be to do away with the open town meeting forum, all of us have observed the turnout at Town Meeting at best as fair, and if we go back ten years and see the same people there, not many of the new people understand our way of government." Mr. Markarian stated the town administrator should be the next step. Mr. Kingsley stated he did not think Town Meeting needed to be abandoned, but the next step should be a town charter, which is a long process.

Mr. McLaughlin asked if in reviewing the Town, Mr. Kingsley or Mr. Markarian had had the opportunity to go through the most recent budget, because the proposed changes look to be improvements, but appear costly. Mr.

Markarian stated they do not review budgets or conduct an audit, however the Community has a solid foundation with solid assets and credit.

Mr. Cunningham asked if there were any examples of how PILOTS can be structured. Mr. Markarian stated PILOTS are not intended to reflect a bad situation, but merely allows for better planning and eliminates aggravation in negotiating. Mr. Markarian further noted the city of Marblehead is the only community he is aware of with an electric department that likes its formula.

Ms. White asked if it was or was not true that there are levels of central management and could it be a full town administrator with certain allocated duties and policy decisions to a greater or lesser degree. Ms. Wood asked Ms. White what she was proposing. Ms. White responded by suggesting a central administrator with a certain set of functions leaving the Selectmen with other functions, which may change in ten years.

Mr. Markarian stated it could be done via by-laws, however he would not recommend that because by-laws can be changed from year to year. Mr. Markarian stated the Town can create powers in position through by-laws, but it is difficult to create the position of town administrator and give it partial authority. Mr. Markarian suggested it would be better to wait to give the authority to a town administrator when the Town is ready.

Mr. Saball asked how personnel would be affected. Mr. Saball stated the Town currently has a personnel board, not a personnel administrator and asked how that would work. Mr. Kingsley stated he thought the Personnel Board could handle the work, as it is fairly straightforward. Mr. Markarian further stated the by-laws call for a Personnel Director, but the position has not been filled. Mr. Markarian stated there are no personnel files, which is alarming, and a matter, which needs to be looked at.

Mr. Webber stated discussion for a town manager should be for future reference. Mr. Webber further stated there are three main groups: personnel, finance and information technology which would report to a town manager. Mr. Webber stated he believed a charter group is a serious consideration but agrees with Mr. McLaughlin and doesn't know how to fund it.

Mr. McLaughlin asked if there were other towns, which had reached this threshold ten years ago, which the Town could study to see what they missed. Mr. Markarian listed the towns of Abington, Swampscott, Bourne and Needham, which is in the process of creating a town manager.

Mr. Cunningham stated the task would be to convince the Townspeople of the need to form a Charter Committee.

#### **Personnel Board Interview - Patricia A. Modzelewski**

Ms. Patricia Modzelewski and Ms. Pamela Keith were present for this portion of the meeting.

Ms. Modzelewski reviewed her resume with the Board and expressed her desire to continue working to cut health benefit costs for the school. Ms. Wood expressed concern regarding the length of time the Personnel Board meetings may run and asked Ms. Modzelewski if she were flexible. Ms. Modzelewski stated she worked part time and her schedule was flexible. Ms. Keith stated the members tried to keep meetings to two hours and also utilized email quite a bit.

*Ms. Wood moved to appoint Patricia A. Modzelewski to the Personnel Board for the un-expired three-year term to expire June 30, 2006. Seconded by Mr. Cunningham. Unanimous vote.*

#### **Housing Authority RE: Assessment of Affordable Units**

Ms. Christine Pude, Assistant Assessor Ms. Rena Swezey, Assessors Mr. Hugh McLaughlin and Mr. Edward Kopec and Ms. Michelle Collette were present for this portion of the meeting.

Ms. Pude invited the members of the Board to a cookout at Petapawag on July 15, 2004 at 5:00 p.m. Ms. Pude detailed the Housing Authority's First Time Home Buyer program for two units in a duplex in Deerhaven on Fawn Lane. Ms. Wood asked if local preference would be given. Ms. Pude stated anyone who lives, works in, works for or has a relative living in Groton, veterans and families with children under 18 will be given preference. Ms. Pude reviewed the eligibility requirements. Ms. Wood asked what someone who is interested should do. Ms. Pude

stated the applications are available from the Housing Authority and also at the Town Clerk's office.

Mr. Cunningham stated there was a question regarding the assessment before the Board. Ms. Pude requested the property be taxed on the sale price of the home and not on the assessed value or appraised price. Ms. Pude stated the deed restriction will limit the sales price and the type of person who can buy the property in perpetuity. Mr. Cunningham asked if there were some mechanism from the State for the restriction. Mr. McLaughlin stated the Board of Assessors has a mechanism in place and recommended when the deed comes though it would be analyzed. Ms. Collette stated the Town does have some limited experience from the Brookfield project, which had some deed restricted units, which the Town has used the restrictions on similar projects. Mr. McLaughlin stated he preferred the deed be written with an inflation clause instead of earning potential. Mr. McLaughlin further stated there have been a series of policies by committees to promote affordable housing, which will be a draw on the school system and the Board of Assessors would like to have a discussion on spot zoning. Ms. Wood noted the appraiser should be aware of the deed restriction when performing the appraisal on the property.

## **OTHER BUSINESS:**

### **Montachusett Joint Transportation Committee Representative**

Ms. Kitchen stated the representative is currently Mr. Thomas Hartnett, and MJTC is a subset of Montachusett Regional Planning Committee, which deals with transportation issues. Ms. Kitchen stated it is helpful to have our representative actively pushing for the Town's inclusion on tip lists. Mr. Saball asked if the Chairman of the Board traditionally held the position. Ms. Kitchen stated it had been traditionally. Mr. Dillon stated he would take the position if Mr. Hartnett did not wish to continue.

\*\* Mr. Cunningham left the meeting.

### **Annual Appointments - Capital Planning Committee, Chief of Police, Election Workers, Council on Aging, Emergency Medical Services, Groton Country Club & Recreational Authority, Haz-Mat Emergency Response, Keeper of Lockup/Constable, Keeper of the Town Clock, Measurer of Wood and Bark, Montachusett Regional Planning Committee, Parking Clerk, Police Matron, Reserve Patrolman, Road Kill Officer, Surveyor of Wood and Bark, Town Diarist, Traffic Supervisor, Weed Harvester Committee, Williams Barn Committee, Zoning Board of Appeals, Special Police Officers - Dunstable, Special Police Officers - Pepperell**

*Mr. Nordblom moved to appoint the following Special Police Officers from Dunstable for the one-year term, term to expire June 30, 2005: Officers George Aggott, James Dow, Chief James Downes, III, James Downes, Jr., Darrell Gilmore, Erik Hoar, Daniel Kowalski, John Koyutis, Michael Lynn, Nicholas Papageorgiou, Sean Ready, Benjamin Sargent and Cory Wait. Seconded by Ms. Wood. 4 in favor, 1 absent (Cunningham).*

*Mr. Saball moved to appoint the following Special Police Officers from Pepperell for the one-year term, term to expire June 30, 2005: Officers Kenneth Beers, Steven Bezanson, Todd Blain, Steven Burke, Edmund Bussiere, Gordon Candow, Jared Carrubba, Chief Alan S. Davis, William Greathead, Bruce Haskins, Armando Herrera, Alan Lessieur, Eileen Lundstrom, Benjamin McDonald, Stephen Mulkerin, Paul Nelson, Nick Parker, James Peters, David Querze, David Scott, Richard Smith, Richard Timipani, Fabrizio Vestri. Seconded by Ms. Wood. 4 in favor, 1 absent (Cunningham).*

*Ms. Wood moved to appoint Jay M. Prager to the Capital Planning Committee for the two-year term, to expire June 30, 2006. Seconded by Mr. Saball. 4 in favor, 1 absent (Cunningham).*

*Mr. Saball moved to appoint Robert L. Mulhern as Chief of Police for the one-year term, term to expire June 30, 2005. Seconded by Ms. Wood. 4 in favor, 1 absent (Cunningham).*

*Mr. Dillon moved to appoint Lorene N. Holston, Lillian C. Alcott, Mary F. McGrath, Edward J. Kopec, Ramona E. Tolles, Harlan P. Fitch, Corinne B. Moyle, Marilyn T. Trecartin, Jean A. Secovich, Carol H. Chalmers, Lona M. Bassett, Barbara E. Avey, Norma J. Garvin, Lynne Kavanagh, Stephen A. Legge, Peg Russell, Jane I. Chalmers, Bonnie P. Biocchi, Joan E. Cox, Joan A. Guimond and Dorothy N. Davis as Election Workers for the one-year terms to expire June 30, 2005. Seconded by Ms. Wood. 4 in favor, 1 absent (Cunningham).*

*Mr. Nordblom moved to appoint Chase J. Duffy and George R. Brouillette to the Council on Aging for the three-year terms to expire June 30, 2007. Seconded by Ms. Wood. 4 in favor, 1 absent (Cunningham).*

*Mr. Saball moved to appoint John P. Walsh and Leroy E. Johnson, Jr. to Emergency Medical Services for the one-year terms to expire June 30, 2005. Seconded by Ms. Wood. 4 in favor, 1 absent (Cunningham).*

*Ms. Wood moved to appoint George D. Rider and Valerie P. Spencer to the Groton Country Club and Recreation Authority for the three-year terms to expire June 30, 2007. Seconded by Mr. Saball. 4 in favor, 1 absent (Cunningham).*

*Mr. Dillon moved to appoint Joseph L. Bosselait to Haz-Mat Emergency Response for the one-year term, term to expire June 30, 2005. Seconded by Ms. Wood. 4 in favor, 1 absent (Cunningham).*

*Mr. Saball move to appoint Robert L. Mulhern as Keeper of Lockup/Constable for the one-year term to expire June 30, 2005. Seconded by Ms. Wood. 4 in favor, 1 absent (Cunningham).*

*Mr. Nordblom moved to appoint Paul Matisse as the Keeper of the Town Clock for the one-year term to expire June 30, 2005. Seconded by Ms. Wood. 4 in favor, 1 absent (Cunningham).*

*Ms. Wood moved to appoint Harlan P. Fitch as the Measurer of Wood & Bark and Surveyor of Wood & Lumber and Town Diarist for the one-year terms to expire June 30, 2005. Seconded by Mr. Saball. 4 in favor, 1 absent (Cunningham).*

*Mr. Dillon moved to appoint Peter S. Cunningham to the Montachusett Regional Planning Committee for the one-year term to expire June 30, 2005. Seconded by Ms. Wood. 4 in favor, 1 absent (Cunningham).*

*\*\*Mr. Cunningham returned to the meeting.*

*Mr. Nordblom moved to appoint Joan M. Tallent as Parking Clerk for the one-year term to expire June 30, 2005. Seconded by Mr. Saball. Unanimous vote.*

*Mr. Saball moved to appoint Deborah Richardson as Police Matron for the one-year term to expire June 30, 2005. Seconded by Ms. Wood. Unanimous vote.*

*Ms. Wood moved to appoint Keith J. Keady as Reserve Patrolman for the one-year term to expire June 30, 2005. Seconded by Ms. Saball. Unanimous vote.*

*Mr. Cunningham moved to appoint Steven F. Mickle as Road Kill Officer for the one-year term to expire June 30, 2005. Seconded by Ms. Wood. Unanimous vote.*

*Mr. Dillon moved to appoint John E. Holston as Traffic Supervisor for the one-year term to expire June 30, 2005. Seconded by Ms. Wood. Unanimous vote.*

*Mr. Nordblom moved to appoint Elizabeth A. Montgomery, Stephen H. Painter, Carole A. Watson, Robert K. Watson, Bradley D. Harper and Russell F. Mallard to the Weed Harvester Committee for the one-year terms to expire June 30, 2005. Seconded by Ms. Wood. Unanimous vote.*

*Mr. Saball moved to appoint Victor C. Burton, Lili Ott, Bruce W. Clements, and Joshua A. Degen to the William Barn Committee for the one-year terms to expire June 30, 2005. Seconded by Mr. Cunningham. Unanimous vote.*

*Ms. Wood moved to appoint Chase J. Duffy to the Zoning Board of Appeals for the three-year term to expire June 30, 2007. Seconded by Mr. Cunningham. Unanimous vote.*

*Mr. Cunningham moved to appoint Jay M. Prager to the Zoning Board of Appeals for the one-year term to expire June 30, 2005. Seconded by Mr. Saball. Unanimous vote.*

**Review/Approve Regular Session Minutes of May 24, 2004**

*Mr. Cunningham moved to approve the Regular Session Minutes of June 1, 2004. Seconded by Ms. Wood. 4 in favor,*

*I abstention (Saball).*

**ADMINISTRATIVE OFFICER REPORT**

Ms. Kitchen stated she had attended a conference at which she had received information for the Accountant's office, which would be helpful regarding health insurance for same-sex marriages. Ms. Kitchen stated Ms. Wood would be speaking at the Lost Lake Fire Station dedication.

**SELECTMEN LIAISON UPDATE**

Mr. Dillon suggested having the Recreation Department come in for an end of the fiscal year update. Ms. Kitchen stated a check had been received for the Holofcener Ice Rink at Legion Hall.

Ms. Kitchen stated the Governor was suggesting making a preliminary supplemental fund from lottery funds making \$96,000 available. Mr. Cunningham stated the funds should be going to the towns not the State. Ms. Kitchen stated the State had started a diversion to the state level and the Massachusetts Municipal Association is working diligently on the matter.

Mr. Saball stated he had attended the 8<sup>th</sup> Grade class trip to Washington, D.C. the previous week and wished to congratulate the Teachers and Students for the positive way they represented the Town.

Mr. Saball referenced a letter in his packet regarding the Patriot Act which he recommended sharing with the public via the website. Mr. Dillon stated there would be a need to look at everything, which had been received regarding the Patriot Act to maintain a balance. Mr. Dillon stated perhaps the press would be interested.

Mr. Cunningham stated there had been an editorial in the Groton Herald, which alluded to the fact that the Personnel Board and the Board of Selectmen had not reviewed the benefit package. Mr. Cunningham stated the Herald had covered the review of benefits in an article in November.

*Mr. Cunningham moved to go into Executive Session at 9:07 p.m. in accordance with MGL Chapter 39, Section 23B for the purpose of discussing litigation and not to reconvene in open session. Seconded by Ms. Wood. Roll call vote - Dillon - yes, Cunningham - yes, Wood - yes, Saball - yes, Nordblom - yes.*

Approved: \_\_\_\_\_  
John L. Saball, Clerk

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Respectfully submitted,  
Kathleen Newell, Office Assistant

Date Approved: June 21, 2004