

**BOARD OF SELECTMEN  
MINUTES  
APRIL 10, 2006  
“APPROVED”**

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

*The meeting was called to order at 7:01 p.m.*

**Conservation Commission RE: Award of Sargisson Beach Proposal**

Ms. Barbara Ganem and Mr. Peter Morrison were present for this portion of the meeting.

Ms. Ganem stated that the Conservation Commission had received one bid from the YMCA. Mr. Keoseian asked for details of the insurance and if there were any areas in which the Town could be held accountable. Ms. Ganem stated it was a \$3,000,000 aggregate policy as recommended by Town Counsel and the YMCA would be the first party on the insurance. Ms. Kitchen stated that the policy had been reviewed by MIIA and she would suggest that the Town be listed as an additional insured.

Mr. Dillon stated that the swim program appeared to be very comprehensive. Mr. Cunningham stated that the YMCA does have experience with managing beaches in other communities and they also have a pool of lifeguards to maintain coverage of the beach.

Ms. Ganem asked if the contract would need to be negotiated and then signed. Ms. Kitchen asked that the YMCA draft the agreement and the she would have Town Counsel review it for form.

Mr. Keoseian asked Ms. Ganem if she could prepare a summary to present in September or October to review the program.

*Mr. Saball moved to award the Waterfront Management at Sargisson Beach proposal to the Greater Lowell Family YMCA, contingent upon Conservation Commission approval and successful contract negotiations. Seconded by Mr. Nordblom. Unanimous vote.*

**Representative Robert Hargraves and Senator Panagiotakos**

School Committee members Alberta Erickson, Karen Lofgren and Cynthia Barrett, and others were present for this portion of the meeting.

Representative Hargraves stated that the House budget had been released with the following breakdown:

- \$939,935 Lottery Distribution
- \$1,035,876 School
- \$93,000 less than the Governor’s proposal
- \$750,000 increase from last year

Representative Hargraves stated that the Senate usually comes in with a better projection for the schools. Senator Panagiotakos stated that the Senate is the last to look at the budgets and has a better opportunity to know “what cards we are playing with”.

Mr. Dillon noted that the differing times of the budgets from the Governor, House and Senate, make it difficult for the Towns to budget accordingly. Senator Panagiotakos stated that both he and Representative Hargraves are supporters of early determination for education funds.

Mr. Dillon noted an article in the Lowell Sun which had stated that the Legislature was in favor of uncapping the Lottery Funds. Senator Panagiotakos stated that the uncapping would occur over a period of years.

Senator Panagiotakos stated that the State is growing at 4.5% and the predictions have been 4-6.5%. Mr. Cunningham asked if there had been an increase in receipts. Senator Panagiotakos referenced the recession of 2001 and stated that the State had used \$600,000,000 in one-time revenues to balance the budget and there is solid business growth, but not in withholding which means jobs are not being created. Representative Hargraves stated the biggest hits had been in

capital gains in 2001 and things are just starting to come back in the market.

Mr. Dillon stated that an area of concern is the rising health care costs. Mr. Dillon stated it would be advantageous to be able to negotiate the health care. Representative Hargraves stated that Section 7 had been proposed, but it was not on the front burner and they had heard a lot from the unions.

Representative Hargraves reviewed the Health Care Finance Bill that is a mandate which will require every resident of the State to have some type of health care coverage.

Mr. Dillon stated that in late November a bill had been brought forth by Senator Moore regarding Chapter 40B and asked about the current status. Senator Panagiotakos stated that all Chapter 40B bills were in a study and the biggest complaint has been the big developments in the smaller communities.

Senator Panagiotakos stated that the number one complaint in the State is the high cost of housing. Senator Panagiotakos further noted that the State is losing residents in the 25-34 year old age groups who are moving out of state due to the high cost housing and if the loss continues, the doubling senior population will be adversely affected in their funding.

Mr. Cunningham stated he would like to publicly thank both Senator Panagiotakos and Representative Hargraves for their attempts in supporting Chapter 40B legislation. Senator Panagiotakos applauded the Town of Groton stating that the Town has been proactive and has served as an example to other communities.

A discussion ensued relative to school funding. Senator Panagiotakos stated that there is an inequity amongst the communities and the formula used appears to only be understood by the person who created it. Senator Panagiotakos stated that there would be no change in the existing pie, but there could be equity in the distribution of the increases. There could possibly be a hold harmless and a change in the distribution of additional funds.

Ms. Erickson stated that the process is inefficient and noted that Proposition 2.5 was not intended for funding government. Ms. Erickson asked if it should be funded through property taxes or a local income tax. Senator Panagiotakos stated that people already feel overtaxed and he would rather see funding through real estate tax rather than create a local tax.

Ms. Lofgren asked what the School Committee can do to help them help the Town. Senator Panagiotakos stated that the "no child left behind" was unfunded. Senator Panagiotakos commended the School Committee stating it was one of the best in the Commonwealth, State and World. Senator Panagiotakos further stated that the Schools are doing very well with the resources it is receiving.

### **Greenman Pedersen, Inc. RE: Addendum to Agreement**

This agenda item was tabled until April 18, 2006.

### **Discussion - Squannacook Hall**

Mr. John Estabrook, Maintenance Supervisor; Mr. Duncan Graham; and Mr. Steve Keaney were present for this portion of the meeting.

Mr. Dillon stated that with the reconfiguration of the Recreation Department it appeared that there would be very little use of Squannacook Hall. Ms. Kitchen noted that the Boy Scouts are currently using the hall and have been using the building for quite some time for both meetings and storage. Ms. Kitchen stated that there would be substantial costs to renovate and update the building.

Mr. Estabrook reviewed a handout which detailed the costs of upgrading the building. Ms. Kitchen stated that someone would need to check the building daily while it is left open, even if used only on a limited basis. Discussion ensued relative to the various problems within the building i.e. mold, water in the basement, septic, parking, excessive wear and structural issues. Mr. Estabrook noted that he would be attending a seminar on mold and would probably have more bad news about the condition of the building.

Mr. Duncan Graham stated that the building had been historically used by the Boy Scouts. Mr. Steve Keaney stated that the scout troop uses the building for meetings and storage of items such as the flags used for the Avenue of Flags.

Mr. Keoseian thanked Mr. Estabrook for the detail of his report. Mr. Keoseian stated that if the building was to remain open and the necessary renovations were to take place approximately \$25,000 would need to be added to the budget for the next 5 years.

Mr. Dillon stated that there are concerns with the condition of the building and the bottom line is what can be done with the building. Mr. Dillon questioned if the CPA could be used for renovations and suggested getting input from the citizens.

Mr. Cunningham asked if there was a way to keep the building open for another year and apply for CPA funds to do the renovations.

Mr. Keoseian expressed concern over the potential liability of air quality, lead paint and resulting health risks from the use of the building.

Mr. Dillon stated that he did not think the building could be kept in cold storage for more than a year, because of the deterioration that will occur.

Mr. Keoseian noting that the Board was not ready to vote asked if the members could express their feelings towards the matter. Mr. Cunningham stated that he agreed with Mr. Keoseian in regard to health concerns. Mr. Nordblom stated that he was opposed to putting the building in cold storage because of the detrimental effects of deterioration. Mr. Saball agreed with Mr. Nordblom. Mr. Dillon stated that he was somewhere between the two views.

Mr. Estabrook asked if the Boy Scouts could continue using the building. Mr. Dillon stated he would not be in favor of nay use of the property until the issues of air quality and mold infestation was dealt with.

Mr. Dillon asked Mr. Estabrook to come back before the Board after he had attended his seminar.

Mr. Graham offered the services of the Boy Scouts to Mr. Estabrook for maintenance projects around the building.

- **Beaudane Properties, LLC RE: Local Initiative Project (LIP) – 14 Station Avenue**

Mr. Josh Webber and Ms. Fran Stanley (Court Street) were present for this portion of the meeting.

Mr. Dillon reviewed the procedure of a LIP and discussed the differences between the LIP and Comprehensive Plan (Chapter 40B).

Mr. Dillon noted that municipalities are considered a key partner in the LIP process.

Mr. Webber stated that this project was a very simple LIP. Mr. Webber stated that the lot is buildable and has all the necessary variances to construct a single family or duplex unit.

Mr. Webber reviewed three options while showing plans of each option. Mr. Webber stated that Option A was attractive to the State however it was the least attractive to Beaudane. Option B has a smaller affordable unit, but it is the most attractive to Beaudane. And Option C has (5) five units, (2) two of which are affordable but could be more challenging to situate on the site.

Mr. Dillon asked the actual size of the lot. Mr. Webber stated that there is 1/3 of an acre. Mr. Webber stated that there would be one indoor parking space and one outdoor parking space per unit.

Mr. Cunningham noted that there was a letter of support from the Housing Partnership. Mr. Cunningham asked if it would be possible to add 75 square feet to the affordable unit. Mr. Webber confirmed that it would be possible.

Mr. Dillon stated that he would like to take the project under advisement until the Board's next meeting on April 18, 2006.

Ms. Fran Stanley an abutter from Court Street asked if it was possible to have an aerial view of the project to see how it actually fits on the property.

Mr. Webber asked how the Board would structure the vote. Mr. Cunningham stated that he would be comfortable

voting on a concept plan of the affordable unit having at least 1400 square feet. Mr. Nordblom stated that he liked Option B and would like to get more information from abutters.

Ms. Kitchen scheduled Beaudane Properties LLC on the agenda of April 18, 2006 at 7:30 p.m.

**OTHER BUSINESS**

**Special Municipal Employee Status – Web Site Committee; Computer Committee; GIS Steering Committee; Town Government Study Committee; Community Center/Land Research Committee**

*Mr. Saball moved the designation of "Special Municipal Employee" status for the position of Web Site Committee; Computer Committee; GIS Steering Committee; Town Government Study Committee and Community Center/Land Research Committee. Seconded by Mr. Nordblom. Unanimous vote.*

**One-Day Liquor License – First Parish Church of Groton – One Powder House Road**

*Mr. Saball moved to approve a One-Day Liquor License for Wine & Malt for Elea Kemler on behalf of The First Parish Church on Friday, April 14, 2006 from 6:00 p.m. to 9:00 p.m. Seconded by Mr. Nordblom. Unanimous vote.*

**ADMINISTRATIVE OFFICER REPORT**

Ms. Kitchen stated that they had met with the SEIU 888 Town Hall/Library Union.

**SELECTMEN LIAISON REPORT**

Mr. Keoseian stated that he and Ms. Modzelewski had presented the position of Personnel Manager to the Town Hall employees and had gotten positive feedback.

Mr. Cunningham stated that the TPL was continuing to meet and there would be a site walk on April 22, 2006, which would provide a good opportunity to view the properties. Ms. Kitchen stated that there will be a mailer going out from the Trust for Public Lands at no cost to the taxpayers.

Mr. Nordblom stated that he would be supporting the TPL article because of its real long term interest to the Town.

**Minutes**

*Mr. Saball moved to approve the Regular Session Minutes of March 27, 2006, as amended. Seconded by Mr. Nordblom. Unanimous vote.*

*Mr. Saball move to approve the Regular Session Minutes of April 3, 2006. Seconded by Mr. Cunningham. 4 in favor, 1 abstention (Nordblom).*

*Mr. Saball moved to enter into Executive Session at 9:21 p.m., in accordance with MGL Chapter 39, Section 23B, for the purpose of discussing strategy with respect to contract negotiations for Personal Contracts for the Fire Chief, Police Chief, Administrative Officer, and Town Accountant and will not reconvene in Open Session. Seconded by Mr. Nordblom. Roll Call vote: Dillon – yes; Saball – yes; Nordblom – yes; Cunningham – yes; Keoseian – yes.*

Approved: \_\_\_\_\_  
Robert W. Nordblom, Clerk

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respectfully submitted,  
Kathleen Newell  
Office Assistant

Date Approved: May 8, 2006