

**BOARD OF SELECTMEN
MINUTES SEPTEMBER 17, 2007
APPROVED**

Present: George Dillon, Jr., Chairman; Joshua A. Degen, Vice Chairman; Stuart Schulman, Clerk; Peter Cunningham; Mihran Keoseian

Also Present: Jeff Ritter, Interim Administrative Officer; April Iannacone, Office Assistant

Mr. Dillon called the regular meeting of the Board to Order at 7:00 p.m. and reviewed the agenda for the public.

Jane Bouvier RE: Groton Fest

Jane Bouvier informed the public that the Groton Fest would take place this coming weekend. There would be over 150 booths. There would also be numerous bands and belly dancers. If it were to rain on Saturday the event would take place on Sunday. If the rain was to continue through to Sunday the event would be held at the Middle School.

Town Accountant Valerie Jenkins RE: End of Year Report

Ms. Jenkins informed the Board that the records for FY07 had been completed. The figure of most interest was the Free Cash balance which is the difference between revenues collected and the expenses. The approximate figure is \$755, 321. This figure is approximately \$200,000 lower than last year and approximately \$250,000 lower than the year before. The Town has been budgeting tighter and has been receiving less in terms of local revenue and State aid than we have in the past. The Free Cash figure was affected by some shortfalls in local receipts and revenue. However the Town was able to make up some with investment income that was about \$100,000 - \$150,000 short of what was expected to be paid. The receipts for FY08 were predicted similar to those of FY07. If there is new growth it will be appropriated against Free Cash. She will not know the deficit until the new growth figures come in. As for the General fund which includes gifts, grants, trust funds, etc., there was one small deficit in the Police grant. The CPC is doing well and the State will be sending about a half a million dollars in about 3 weeks time. There was a 100% match and all paperwork is in order. The Enterprise funds both ended in a positive balance. Capital projects are done. The Stabilization Fund has \$1.2 million with interest. The Capital Fund has money but half of it is in reserve against FY08 purchases. Funds from Free Cash will replace the shortage in Stabilization. Prior year encumbrances have been cleaned out. She then stated that things are good but not as good as they have been and she is worried that things will continue to not be good. Mr. Dillon stated that the new growth figure had been predicted at \$25 million for this year but could come in less. He stated that for every million that the figure goes up or down there is a hit of approximately \$15,000 against the bottom line budget. Valerie corrected that for each million under \$22 mil then there is a \$45,000 hit against the budget. She stated that they would have to use reserves or under appropriate line items. Mr. Degen asked what the estimated figure for licenses and permits was for FY08. Valerie stated that the projected figure was \$340 - \$350,000. Right now they are looking at the figures for August but July was good at approximately \$18,000. However even if that figure were kept up all year long the end result would only be about \$230,000. She feels we should redefine the budget to come closer to \$220-230,000 with normal permits. Then if bigger building projects start to come in they can revisit the budget and put more free cash into the balance. She also suggested lowering local receipts to approximately \$60,000 but doesn't want to lower the figure so much that the Town would have to revisit the budget entirely. She stated that there has been a downturn in things and they need to determine how to make projections. She also stated that in terms of Health Insurance she would be able to return money because she budgets for all coming in the door even when they do not get any insurance. Mr. Keoseian thanked Val for her detailed presentation and backup. He agreed that the Town needs to project conservatively. He then asked if she had looked at any other comparable communities to see if this is a trend among them. Valerie stated that Dunstable was worse off than us. There are places that never have these issues and then there are others that always have them. However there are other towns that aren't done yet and comparing doesn't really help us do what we need to do. Mr. Dillon stated that there are abutting towns like Dunstable and Pepperell that have been relying on free cash for a number of years and it has been coming down for a number of years. Mr. Keoseian stated that free cash keeps reducing but the Town needs to budget without looking to it as a means of support. Also where new growth projected is lower than previous years he would draft lowering new growth over the next few years because he doesn't believe that we should rely our budget on new growth funds. Mr. Cunningham asked about State reimbursements and if they don't come in on time how does it get reconciled. Valerie responded that we are allowed 8 weeks into the next year to receive these reimbursement funds If the paperwork is not filed on time then it is held

against free cash. However we are not getting a lot of grants. Mr. Cunningham then asked if Valerie was aware of when a department is going after a grant. Valerie responded that she doesn't always know when they are applying. If she knows then she can help send out a warning but if she doesn't know then there is nothing she can do. Mr. Cunningham stated that they should try to set up a procedure through the Selectmen's office to keep things smooth and make sure that things are kept on top of. Mr. Dillon agreed and felt that we should try to stay as far out in front of the problem as we can get.

Treasurer/Collector Christine Collins, Town Accountant Valerie and Personnel Manager Elizabeth Currier RE: Municipal Partnership Act (MPA)

Valerie presented first and stated that the MPA is being mostly overshadowed by the GIC and retirement however she has come across some miscellaneous sections that might be helpful. The MPA allows cities and towns to charge a local meals tax of 2% and a hotels tax of 4% which would go to the State and then we would get some reimbursement. The meals tax gets reimbursed through the senior abatement. Another one that might be helpful is in regards to procurement advertising expense. The MPA eliminated the need for print advertising and allows for internet posting. This could be looked at and protocols could be put into place about when to advertise online, when in print or when not to advertise at all. Another benefit might be the section that eliminates the tax exemption for telecommunications lines. The rest of the act speaks to specific trash collecting procedures but the Town does not have curbside pickup. The other option allows for the towns to use the States GIS, websites and hardware/software. Elizabeth spoke about the GIC which is Chapter 67 of the MPA. The GIC is the Group Insurance Commission who administers and manages health insurance for over 250,000 State employees. Health Insurance costs have been rising at about 10-14% where the GIC has had only a 4-5% increase in costs on an annual basis. She does not feel that this option is a good one for the Town of Groton. The Union Groups will not be able to negotiate for their health insurance options. The Town will have to form a public employee committee (PEC) to negotiate with the Town over rates and contract term. Once the Town has chosen the GIC they cannot get out of the contract before the negotiated contract term ends. Also the contribution rates would have to become the same for the retirees and active employees. Right now the ratios for the Town's health insurance breakdown are 35% town – 65% for retirees and 80% town – 20% for active employees. Lastly the GIC plans are very different. The plans that the Town has now have low deductibles and low co-pays. The GIC plans have deductibles and higher co-pays. Most towns are saying no right now. Mr. Dillon asked if we were to opt out of our current plan would it cost us anything. Valerie responded that the town would leave behind their share of the \$2.5 million fund balance. If a community were trying to get into our plan they would have to pay a per head entry fee to set up administration but they then become part owner in the fund balance. The Town can get out at any time but the issue would be getting back in which could not be done for 2 years so there would be a loss of some control. Mr. Cunningham asked if during the meeting with Minuteman there were any projections of next year's rates. Elizabeth responded that there were not any yet and they would not come out until about December. Mr. Degen asked if there were any members of the current group that did opt to go to the GIC. Elizabeth responded that no one had opted to go to the GIC but there are some who do already have some involvement with the teacher's retirees. Elizabeth stated that if the Town were to want to sign up for July 1st of next year the deadline for the GIC is in 2 weeks time. The Town would have to set up the public committee and give employees 30 days notice so we would be unable to choose this option at this time. Therefore we have enough time to look into all options thoroughly before next year's signup. Mr. Dillon asked about how the retirees were represented. Elizabeth stated that the State appoints the retiree representative and not the town. Mr. Degen stated that the Town should watch and see how things function and get feedback in order to make a determination for next year. Next Christine spoke about the section of the MPA that discusses retirement systems. The new act established that the Public Employee Retirement Administration Commission (PERAC) will conduct an annual review of all Massachusetts retirement systems. Systems that have a funding ratio of less than 80% and have underperformed the PRIT Trust Fund by at least 2.25% over a 5 year period would be required to transfer their assets over to the State's Pension Reserve Investment Management (PRIM) Board. The Town is part of the Middlesex Retirement System (MRS) and has been underperforming in both areas. However PERAC was involved in reviewing the performance of our system prior to the enactment of this legislation and in November 2006 the MRS Board voted to voluntarily transfer 88% of the systems assets to PRIM. A voluntary transfer may be allowed to move money from the fund elsewhere if it is back to performing status after 5 years. If the transfer is an order to transfer then you must leave the funds there indefinitely. Mr. Keoseian stated that it was wise to watch and track it and then get updates down the road. If the money is in PRIT and the 10 year average is 7.2% and theirs is 10%. Mr. Degen stated that this was the easiest to grasp of all 3 sections and made sense. His concern was over the health insurance where the annual

increase is an average of 13%. He urged Elizabeth to take a good look to see how things are working and if people are happy then we should look into joining the GIC. Mr. Dillon stated that he agreed that there were healthcare issues. This past year the impact was not significant due to the one time catch up for incoming employees but next year there will be a significant increase. The Board thanked all three for their time and information.

Emergency Management Director Bill Shute RE: National Incident Management System (NIMS) Update

Bill gave a quick background description of what NIMS was about for the Selectmen and the Public. The system was set up as a result of 9-11. An analysis of major incidences was done and the government tried to set up a uniform way across the country to organize plans, procedures, command and management. It is also to organize and unify the classification of all utilities and people across the Country. The implementation of NIMS has been an ongoing process. The Town has been week in developing procedures. We need to start looking at what we do have in place to make changes necessary to keep Police, Fire and EMS working from similar or the same types of procedures, as well as keeping our procedures similar to surrounding towns. NIMCAST will go through and evaluate the metrics of how well we are complying with NIMS and there will be consequences of not following the procedures required. One of those consequences will be the loss of the ability to receive Federal Funding and Homeland Security. There are also 6 basic courses required by NIMS. The ICS 700 introductions course has to be completed by all first responders as well as various people within the government. This course/test has to be completed by the 30th of this month and a letter has to be sent that says that this was completed and that we comply. Some sections of people have completed this course. Bill stated that he will be giving the ICS 100 tomorrow and Thursday and it can be done in only one session. Mr. Degen stated that he was aware that all members of the BOS were required to take the IC 100 and 700 however he thought that there was a 1 year grace period built into the transition. Bill responded that there was 1 year built in and the end of this month would be the end of that 1 year. He would be giving the two sessions of the 100 at the Public Safety Building at 7:00. There are online versions available but to do the online version you would have to go through an 80 page booklet where he will have a Power Point presentation to go through it quickly. There are 3 other classes that are also required at various levels and intervals, the 200, 300 and 400. The Police Department has the best completion rate at this time. Mr. Cunningham asked if the requirement for taking the course was for the entire Board or just the Chair. Bill responded that all of the Selectmen should take the course. Mr. Cunningham asked how the Selectmen could take the 700 course without having taken the 100. Bill responded that the 100 was not a prerequisite for the 700. He then stated that he could take the time to do a course for the 700 next week. The Selectmen thanked Bill for his time, information and all of his hard work in keeping these efforts coordinated.

Hugh McLaughlin RE: Petitioner Article for Special Town Meeting

Mr. McLaughlin stated to the Board that he was invited by email to relate his history of how the article came about or answer any questions the Selectmen may have about it. The article would create a 7 member Tax Base Study Committee. He had discussed with Bob Gosselin the idea of creating this committee. Bob did consent that the Moderator could take on the responsibility of setting up this committee. He is comfortable with forming and giving a charge to the committee. The committee would review data about growth management and how to improve the tax basis. The charge would allow that they come back to the Annual Town Meeting to report their findings and recommendations. Mr. Cunningham asked if some of the recommendations that they might make would include recommendations to review zoning. Hugh responded that what is being provided is that the group should consider these things and decide if there are any recommendations that they would like to make, however they will not be obligated to make recommendations. Any recommendations would just be directions that they feel would be the next step to go forward in addressing the issues that they have been considering. Mr. Schulman asked Hugh if he would be a member on the committee. Hugh responded that he would not because it would not be wise to be on the committee as an assessor. Mr. Degen asked if there would be any funding needed for the committee. Hugh responded that there would not be a need for any real budget because there would not be a large amount of funding for things other than photocopies and handouts. There would not be any major expenses. The Board thanked Hugh for his time and information.

Donald Van Dyne Managing Member, 119 Partners, LLC RE: Petitioner Article for Special Town Meeting

Mr. Van Dyne thanked the Board for placing his article on the Warrant. The article proposes to accept the rezoning of 797 Boston Road from RA to B1 to keep consistent with the zoning on the other 3 corners at that intersection. Many people had thought that this parcel was already commercially zoned. The concept plan that is being created is

still a working document which will reflect the Town's best interest. There will be a Planning Board meeting on Thursday October 4th and he would like to request that the BOS join that meeting. Mr. Dillon stated that there would also be a Public Hearing on October 1st. He asked that Mr. Van Dyne share what he envisions in terms of business for that property. Mr. Van Dyne responded that before they could identify any businesses for the property the potential tenants want to know that the property is in fact commercial. Mr. Degen stated that they have already discussed the fact that it is tough for the Selectmen to render an opinion on the issue without seeing a concept plan or a drawing of the plan that will go to the Planning Board. Mr. Van Dyne responded that he was just there to share the idea and see if the Board had any preliminary recommendations. He again stated that he would like the Selectmen to join the meeting with the Planning Board.

Joint Appointment to the Planning Board to Fill a Vacancy Until the Next Annual Election

Mr. George Barringer, Chair of the Planning Board, first called the Planning Board meeting to order. He announced that there were 4 candidates for the position and gave them all thanks for coming forward to fill the vacancy. He stated that he hopes that the 3 who don't get chosen will continue their volunteer efforts for the Town. He will give each candidate 5 minutes to present their reasons for interest in the Planning Board. The Selectmen will then have 10 minutes to ask questions and the Planning Board will have 5 minutes for questioning. Mr. Dillon stated that after the process has been completed there would be voting by both the Planning Board and Selectmen. Jeff will then tally the votes and each member would announce for whom they voted.

The first to present to the two Boards was Mr. Alan Hoch. He stated that he has been a resident of Groton since 1998 and became involved in land use issues involving the Town. He is interested in the character and history of the Town. He is a divorced father of 3 children and has been a lawyer for 21 years. His specialization is in errors of omissions. He was one of the founding partners of a firm in Boston but set out on his own a year and a half ago. The one thing that all cases have in common is that they all have rules they have to follow. He believes that the most essential function of Planning Board members is to keep the landowners following the rules. He also feels that it is important that the rules be applied fairly and evenly across the board. Though he does not have formal practice in land use cases he could learn the new set of rules to follow by. He will look after the Town's interest as best as he can. Mr. Cunningham asked Mr. Hoch how he would handle a situation where he might end up representing a matter that might turn into a Planning Board issue. Mr. Hoch responded that he did not think it was appropriate or legal to handle both sides of the matter due to the appearance of impropriety. He would either not take the case or he could not be involved in the Planning Board issue. Mr. Dillon then asked which way he would lean if he did have to make that choice. Mr. Hoch responded that he would first be inclined to serve on the Planning Board rather than take a case that might end up involved in the Planning Board. If the Planning Board project were first then he would not take the case however if he had the client first then he would back out of the Planning Board review. Mr. Degen stated that he had made a call to the ethics commission due to the fact that Mr. Hoch had represented him in legal matters in the past. He was told that it is legal and ethical to participate in this interview and election. However, he felt that perception is also important in the matter. He will participate but not cast a vote at the end unless necessary. Mr. Degen then stated that Mr. Hoch had run and lost in the past and asked him if when running in the past he had attended any of the meetings of the Planning Board. He also asked why he felt he had lost in the past and what he knows now that would make him an effective member. Mr. Hoch responded that by his second race he had learned about networking and getting people in Town to know him and why he is interested. Mr. Schulman referred to the comment about rules that were required to follow. He asked Mr. Hoch if he thought it was easy to follow the rules at all times. Mr. Hoch responded that he tries to understand and apply the rules to the best of his ability. He knows he would be charged with applying the rules in a fair way. Mr. Dillon asked if Mr. Hoch intended to run in the next election. Mr. Hoch responded that yes that would be his intent.

The next to present was Robert Breton. He has lived on Nashua Road since 2000. He is involved in the Cub Scouts in Town and has 3 children. He feels that the Planning Board has done a terrific job in representing the interest of the Town. Groton is a beautiful town with a historic feel and he would like to be part of making sure that in trying to raise revenues we keep the town development and characteristics controlled. He also has concerns about the moderate and low income housing levels and would like to see the Town keep their numbers up such that they can keep developers under control. Mr. Cunningham asked if Mr. Breton would seek re-election at the next Town election if he were appointed. Mr. Breton responded that he would. Mr. Dillon asked if he had attended any of the Planning Board meetings. Mr. Breton responded that he has attended a few meetings as a general abutter when there were meetings about developing his side of Town. Mr. Degen asked how he would handle a situation where someone was to plan a large development in an area of Town that was considered a beautiful portion of Town. Mr.

Breton responded that they own the land and have the right to use it. If everything falls within the bylaws and there is no significant impact to the neighbors then they have the right to do it. He doesn't feel that they can tell people that they cannot use their land. Mr. Schulman asked if with his busy schedule he would be able to be at the meetings on a weekly basis. Mr. Breton responded that it would be fine and he would. Mr. Keoseian stated that with regards to affordable housing the Town needs to keep up with our numbers due to Chapter 40B regulations. Many local towns are challenging the State stating that this is not a good piece of legislation and the issue of 40B cannot be ignored. He then asked if Mr. Breton felt that Chapter 40B was unfair. Mr. Breton responded that yes he does feel it is unfair and has tax concerns and concerns about allowing developers to throw up large developments.

The next candidate was Fran Stanley. She has lived in Groton for about 3 years but her partner has been a part of the First Parish Church in Town for about 7 years so she was familiar with Groton beforehand. She is a lawyer and is a stay at home mom of twins and often uses the Town Playground and Library. She is interested in being appointed to the Planning Board because as a lawyer she finds it interesting how big decisions can turn on small points. People working on Town boards need to try to follow the rules as best as they know how and she feels that with studying law she has a respect for the rights of property owners also. Mr. Cunningham referred to Ms. Stanley's letter of interest where she stated that she was part of the Groton Land Foundation. He stated that they come before the Planning board for certain matters at times and asked how she would handle those situations. Ms. Stanley responded that as long as she was the administrator of the Land Foundation she would recuse herself from acting on the Planning Board for matters concerning the Land Foundation. Mr. Degen asked how she would handle participating Station Avenue meetings as an abutter. Ms. Stanley responded that there were a number of other residents that will have direct interest in what comes about and she does not have to continue going through the Station Ave. process as an abutter. She would attend the discussions with the Planning Board and then not vote on the issues. Mr. Dillon asked if she would plan to run in the next election. Ms. Stanley responded that she had not yet decided but she would be open to the idea. She would be grateful for the opportunity to get in and experience before making the decision. She then noted that she would not anticipate missing more than 1-2 meetings.

The last candidate was Timothy Hess. Mr. Hess stated that he moved in to Groton 4 years ago. He is an Architect and having been involved in the Station Ave. developments he has enjoyed the interaction and feels that he could continue to offer a set of values to the Planning Board. Mr. Dillon asked how he looks at his involvement in the Station Ave. Committee as a conflict in participating on the Planning Board. Mr. Hess responded that he had spoken with the State Ethics Commission regarding this issue and the only area of conflict was that he would not be able to represent a client in a professional matter in front of the Planning Board. He feels that his work has been a vehicle to share his opinions but there is no obligation or contract that would cause conflict. He has also taken a look at what it might mean to his own career and since he has only presented 2-3 clients in front of the Planning Board during his career this would not affect his career side. Mr. Cunningham asked if he were to become a member of the board how would he handle things if a difference between his views and design plans being reviewed were different. Mr. Hess responded that his efforts to share his opinions have sought to have some influence on the bylaws and guidelines. His work will either participate in the shaping or not. He will work hard to channel his efforts through the proper guidelines. Mr. Keoseian asked Mr. Hess why he was interested in going for this position at this time. He asked if there was something the board was doing or not doing that he could give influence to or set a different course for. Mr. Hess responded that for the past few years it has not been a thought of his but there is an opportunity that has come up. He has not lived here long enough to get a great overview of things. He knows that Groton is a 350 year old town and he feels that less depth of life is happening in town then what could be. Mr. Schulman asked if he was ok with going to meetings every week. Mr. Hess responded that it was fine. Mr. Degen stated that Mr. Hess has good ideas and his concepts that revolve around commercial development are an important attribute that he can bring to the board. However, aside from commercial development he asked what set of rules and guidelines Mr. Hess would use in reviewing a plan where an individual owns 200 acres and is set on developing the land. Mr. Hess responded that he would do his best to evaluate the plans against the guidelines that are in place. He would also try to bring some of his own ideas into the subdivision to try to have it be more comprehensive. He understands the concept of setting aside open space to diffuse the downsides of the 2 acre zoning however he feels that the value of park space is greater than that of open space. He feels that if they could counter the building effort with park or recreation space as a place for people to use for socialization and gathering rather than just unusable open space it would make the development option more appealing. Mr. Dillon asked if he would be committed to running. Mr. Hess responded that he would be interested. If he is appointed he would then hope that the next few months would go well and then he would make his decision from there. Mr. Barringer then gave thanks to all four candidates and then stated that there has to be a majority vote of 6 of the 11 members. Mr. Dillon stated that he felt that Mr. Degen should vote and have

his preference named on paper so that in case of a tie his vote was noted. After the first two unsuccessful majority votes Mr. Robert Breton withdrew as a candidate. The results of the final vote were 7 for Tim Hess and 3 for Alan Hoch. Mr. Keoseian stated that he had voted for Alan. Mr. Cunningham stated that he voted for Alan. Mr. Schulman stated that he had voted for Tim. Mr. Dillon stated that he had voted for Alan. All Planning Board members voted for Tim. Mr. Barringer took care of adjourning the Planning Board session.

OTHER BUSINESS

Appointment of Michele Theroux to the Council on Aging

Mr. Cunningham noted that the Selectmen had received a letter from the Director of the Council on Aging that recommended Michelle for the vacancy. Mr. Dillon also noted that the vacancy was due to the resignation of James Kane. He thanked James for his service.

Mr. Degen moved to appoint Michelle Theroux to the Council on Aging, for the unexpired three year term, term to expire June 30, 2009. Mr. Schulman seconded. Unanimous vote.

Reappoint Beverly Jeddrey as Police Matron

Mr. Degen moved to reappoint Beverly Jeddrey as Police Matron for the one year term, term to expire June 30, 2008. Mr. Schulman seconded. Unanimous vote.

Review Trust for Public Lands (TPL) Letter

Mr. Dillon stated that the Selectmen did not need to take any action tonight. They were to look at a fundraising letter that was drafted by Badge Blackett to offer comments. Mr. Dillon then read sections of the letter from Mr. Blackett that came along with the fundraising letter giving background information on the whole Surrenden Farm project. Mr. Degen stated that the Selectmen had already reviewed this informational letter from Badge last week and the TPL had followed through on their commitments. What Badge was looking for was approval on the wording of the letter to be sent out. He was also informing the Board that they needed to create a mechanism for the Town Accountant to keep donations separate from TPL finds to be specific for this parcel. In terms of changes to the letter Mr. Degen stated that he would like to see the Groton School donation changed from \$5 million to \$7 million. Also the 4th paragraph stated that the TPL would contribute \$5,000 towards a goal of \$50,000 where the original goal was \$100,000. The intent of the original goal was to maintain a larger amount because there is a lot to maintain this land and Mr. Degen felt that the number should remain consistent to the original discussion. Mr. Dillon stated that the original discussion and figure was for the entire parcel not for the new parcel. He also agreed that the donation from the Groton School should be properly noted. Mr. Cunningham noted that there would be revenue generated from use down the road and that he would not see the endowment paying for projects done by groups. Mr. Keoseian stated that where the letter states that the endowment is for maintenance and management of the land he would want to see some of what that means. Mr. Degen responded that some of it would be for the cutting down of trees for trail access. Mr. Keoseian stated that as a homeowner and taxpayer he would read the word management as a person managing affairs and that it should read land management consistent with conservation. Town Accountant Valerie Jenkins stated that the Board may want to work on a document to define what endowment means. Income is only usable or expendable rather than endowment. A gift or revolving money could be spent with a spending plan to keep it from getting to zero. If the Town were to collect the \$50,000 of endowment money it would only generate \$1,000 to \$1,500 a year. The Selectmen will need to have a document to define how they intend to use the funds. Mr. Dillon suggested working with Christine Collins and Town Counsel regarding this issue. The Selectmen consented that Jeff would get back to Badge regarding the letter revisions and then they would give consideration to the funds later.

Review Special Town Meeting Warrant Articles

Mr. Ritter informed the Board that the Warrant had closed on Friday at noon. All articles had been submitted and now had to be put in order. He would like to see an order confirmed by next week if possible. The Board also needs to take positions on as many articles as possible after the hearing process. The week of October 1st after the Public Hearing is when the Warrant will go to the printer. He then stated that in regards to Article P about the Charter he was looking for feedback comments from Mr. Cunningham. Mr. Degen stated that the Public Hearing on Thursday regarding the Charter would be continued in mid October and asked if there was a chance that the Selectmen could take a position on the Charter after the October 1st hearing before going to print and before the second hearing for the Charter. Mr. Cunningham stated that it was up to the Board if they wanted to do that or not. He stated that the bulk of what has already been seen is complete and will become more complete after Thursday night. Mr. Dillon stated that

after this weeks hearing and the public hearing with FINCOM the Board should be able to take position on that item. Mr. Cunningham also noted that Town Counsel had reviewed and made comments on the document already. Mr. Ritter was asked what the latest day that the warrant could go out to the printer was and he informed the Board that it was scheduled to go Thursday Oct. 4th. He also informed the Board that Valerie was scheduling a Tuesday night meeting for FINCOM for them to take positions on the articles before print. Mr. Dillon asked how the Blue Ribbon Governance Committee intended to get the Charter out. Mr. Cunningham responded that they were thinking about trying to get the document printed and mailed out to households so that they can make sure that all have received it and have had the opportunity to review it. The current version is 20 pages printed 2 sided. Mr. Degen was still concerned as to how the Board could take position on the article if it was advertised to the public that the hearing was continued until mid October. Mr. Cunningham responded that this was not a continuation of the hearing it is a separate hearing which was more for informational purposes. At the normal Committee meeting on Thursday any final changes will be made and then any suggested changes at the second hearing will be formally suggested at Town Meeting. The Selectmen consented that the essential housekeeping matters should be kept first including the Charter so if the meeting were continued to a second night the Charter would still make it on the first night. The consented order of the articles was the money and big ticket items, the Charter draft, the CPA articles and then the petitioners.

REPORT OF THE INTERIM ADMINISTRATIVE OFFICER

Mr. Ritter stated that given the late hour he would pass on giving his report.

SELECTMEN LIAISON REPORTS

Mr. Degen reminded the public that the Blue Ribbon Governance Committee would be holding their Public Hearing on Thursday at 7:30 and that the Planning Board Public Hearing regarding Station Avenue would also be that night at 8:00.

EXECUTIVE SESSION

Mr. Degen moved to enter into Executive Session at 10:10 p.m. in accordance with MGL Chapter 39, Section 23B, for the purpose of discussing pending litigation and will not reconvene in Open Session. Mr. Schulman seconded. Roll Call Vote: Dillon – yes; Degen – yes; Schulman – yes; Cunningham – yes; Keoseian – yes.

Approved: _____
Stuart Schulman, Clerk

_____ respectfully submitted,
April Iannacone
Office Assistant

Date Approved: *November 13, 2007*