

**BOARD OF SELECTMEN
MINUTES FEBRUARY 11, 2008
APPROVED**

Present: George Dillon, Jr., Chairman; Stuart Schulman, Clerk; Peter Cunningham;

Absent: Joshua A. Degen, Vice Chairman; 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.

Mr. Dillon then informed the public that next week's Board of Selectmen (BOS) meeting will be on Tuesday the 19th due to the Presidents Day holiday. He also reminded the public that the Town warrant closing date would be Thursday February 28th at 12:00 noon.

Mr. Dillon then read a letter from Mike Bouchard, Temporary Town Clerk, regarding the February 5th Presidential Primary. The Town had 54% voter participation, with a total of 3,740 votes cast. He gave thanks to the 25 poll workers, clerks and wardens. The Selectmen then gave thanks to Mike who didn't have a lot of time to prepare and did an excellent job.

Ted Roslin, President, Groton historical Society and Bill Carson, RE: Boston Post Cane

Bill Carson stated that the Boston Post Cane is extremely valuable because it is over 100 yrs old. He was there to suggest that the cane become the responsibility of the historical society so they can display it for people to look at and get to know about it. Over the years these canes get hidden and forgotten about by families. If it was to get out into the cane world in another part of the country they would not be able to get it back. Andover's cane is the only one to go back to the owners from an auction in Massachusetts.

Ted Roslin stated that he thinks the cane should be given on permanent loan to the society to have on display, and has copies of loan agreements for the Selectmen to review and edit. The Historical Society is trying to be open more, and change displays so that people can attend and view things more than just in the summer. The Society can display it with owners of the past. They thought that during special events the oldest person in town could ride in the parades with the cane. There are 7 towns in Middlesex County that give out a replica of the cane for people to use. Of the 38 canes given out in Middlesex, Groton is only one of 6 towns that still give out the original cane, which is not in best interest of the town in the long run. They don't want to loose something that has such a historic value.

Anna Elliot stated that her mother had been a recipient of the cane. When she had the cane it sat in a corner and no one appreciated it. She feels that they should give the oldest resident recognition with a plaque or replica. The cane is something that the town should be able to view and get to know. It is a beautiful artifact, and it just stays in peoples closets for years.

Mr. Dillon stated that he was not here for the original discussion, but he thought that when it was brought up it was mostly for informational purposes. He is not familiar with what was discussed or what the reasoning behind it was.

Mr. Cunningham stated that they struggled during the last discussion to determine the best way to handle the passing of the cane. He appreciated the history of the cane, and in our modern times it was a quaint idea. The original request was that it be conveyed to the oldest citizen. They just needed to somehow ensure safeguards to get it back. The town has managed to keep tabs on it up until now. The discussion was about making sure that we had some documentation formally that it was on loan and track when it is due back.

Ted stated that the main thing they were looking at was if the person passes away, and the cane is in a closet, they don't want the family to sell it or throw it away.

Mr. Dillon stated that he agreed with Peter, but the cane was also for promotional purposes. If you look back at that era it was a different society, people were less mobile and more permanent. There are some things to talk about in the future.

Mr. Schulman stated that he would be ok with putting it in the historical society, but thinks that if the oldest person were to ask to use it they could without question. Ted stated that they would have a picture and name of the person in the Society, and he agreed that the possession of the cane is to the oldest person if they care to have it.

Mr. Schulman stated that he had learned that one of the canes was stolen out of a glass display case. Mr. Dillon replied that it was in Charlton that the cane stolen was the replica and not the original. Mr. Cunningham asked if there was any draft of an agreement yet. Mr. Ritter replied that he had drafted one, but that he does not feel comfortable discussing it yet. Ted stated that he will drop off a copy of theirs for review. The Selectmen thanked Ted and Bill for their time and input.

Community Preservation Committee, RE: Impact of Reduced Matching Funds from the Commonwealth and the Impact on Local Projects

Mr. Dillon stated that the Town adopted the Community Preservation Act (CPA) 3 years ago. When adopted they had the option of up to a 3% surcharge, and Groton opted to do the 3%. The first 2 years the Town has received 100% matching funds, but this year the matching funds in October could be less than in the past.

Bruce Easom & Rick Hughson were both present to give the BOS an update. Bruce stated that recent conversations have indicated that the State's match would be between 60 and 70% of what is raised by the local surcharge. The State funds this act by a surcharge assessed at the registry of deeds. A fee is collected, and those communities that have adopted the act get a match of the funds collected. Due to the number of towns that have adopted the act going up to 127, and the change in the real-estate market causing lower collection in recording fees, 2009 will be the first year Groton will not receive 100% match.

Rick stated that of the CPA funds almost \$500,000 is going to Surrenden Farm debt, and \$300 to \$400,000 has been designated for new projects. Right now the CPC has about 1 million available for new applications. The reason the State opted for 100% match was because it was fantastic revenue, and little was being given out to towns that had adopted. In 2005 the State gave out more money than they received, and the 2008 calendar year is the first year that they are not able to meet the 100% match. Each month the State reports the total collected fees and taxes. At the last publishing in December 2007 there was a 15% decrease from December 2006. Next year is even worse because there is no balance forward. There could be as little as \$200,000 in matching funds next year. The biggest issue is the fact that revenues are down significantly because of the real-estate market. Not many more towns will adopt, and some may even drop out. Then hopefully the real-estate will eventually go back up.

Mr. Cunningham asked if the towns that are now adopting this are adopting at a lower percentage. Rick replied that there was an equal distribution between the 1% & 3%. Andover is looking for a 1% surcharge and match, and Cambridge has been the biggest drain on the system.

Mr. Schulman asked if the amount received is proportional to the amount changed. Bruce replied that the first round of dividing uses a formula for towns who have adopted at 3% rather than the lower towns. Mr. Schulman then asked if the revenues used are state wide revenues where revenue that Boston puts in are part of the funds distributed to this town. Rick replied that it was all revenue collected State wide.

Mr. Cunningham asked if this was on target for what was anticipated when calculating the long term debt to finance Surrenden Farm. Rick replied that it was what was expected. They planned 2-3 years before things went down. The fact that Groton is a 3% town should help us do better than a 1% town.

Mr. Cunningham asked if the funding was level or declining and Rick replied that it was declining.

Mr. Dillon asked if the CPC was looking at or considering keeping a reserve and being as selective as possible when approving future applications where revenues are decreasing. Rick replied that they have talked about it, but they have not made a decision or taken any votes. One option they are looking at is to change the decision process from Fall Town Meeting to Spring Town Meeting. Fall Town Meeting there is not a required quorum and more people are involved in the Spring Town Meeting. The decision would then take place in the spring after they find out what is coming in October.

Rick then stated that the debt for Surrenden Farm is raised in house and would not rely on the matching funds.

Mr. Cunningham stated that one of the other things they coveted that money for is affordable housing. Bruce replied that there were 2 CPA proposals that address the affordable housing. If they changed to the spring Annual Town Meeting they would skip one funding cycle and would not have one in calendar year 2008 to keep funding in house until the Annual Town Meeting cycle.

Mr. Cunningham asked if it was ok to make that change or if there was something in the legislation that would not allow that. Rick replied that there was nothing in the legislation. In many towns it is normal for the board or committee to come up with their own ideas. They hold one public hearing to hear what the town would like to do. They could delay a year, go bi-annually, or as frequently as they decide will work for the town.

Mr. Dillon thanked Bruce and Rick for coming in. He appreciated their update and continued hard work.

Valerie Jenkins, RE: Update on Temporary Assistant to the Town Accountant Position

Val stated that she had been before the Board about 6 weeks ago to let them know that there would be a vacancy in her office. While Barbara was away on medical leave she got another job offer and will not be returning. The needs analysis by the Personnel Manager will not be complete by the time Barbara completes her 3 week resignation period. The permission for her temporary help runs out on Friday, and though she does not need someone while Barbara is here, during the posting, interviewing, and hiring she will need temporary help again. She is there to ask for permission to extend the temporary coverage into March, or until she hires someone. It is possible that she might not need the help, but she would rather not have a gap in coverage and a warrant due. She should have some money in her budget, and if she did need more she could go to Town Meeting.

Mr. Schulman asked if she would be looking to use the same temporary assistant that she is using now. Val replied that she would have the same person help. He has agreed to come back and help her out for all of March.

Mr. Dillon stated that her request made sense. The needs analysis is being done to determine the number of hours they will be posting and hiring for. The process had been held up some waiting for Barbara to return. He thanked Val for the tremendous amount of work she has put in during the budgetary and labor union negotiations.

Mr. Schulman moved to approve the extension of the Temporary Assistant to the Town Accountant until a new Assistant is hired. Mr. Cunningham seconded. Unanimous vote.

Before moving on to the other business, Mr. Dillon stated that they had concluded the second budget Saturday all day meeting. Tomorrow evening at 7:00 pm at the Groton Dunstable Regional High School library there will be a meeting with the School Committee and representatives from the Selectmen and FINCOM from Dunstable and Groton. There will be an overview of the school budget, discussions on the Prescott School debt and the structure that exists in the district, and how the towns will be affected if there was a closure of Prescott, as well as where the towns stand in their current budget.

Mr. Cunningham stated that he knows that nothing is final, but when they started the deficit was at \$500,000 and now after both Saturdays they are down in the \$200,000 range.

Valerie stated that not all departments came up with labor cuts or the 5-8% proposals from all. They got an increased assessment from Nashoba Tech, Health Insurance came in better than expected, then the debt service with Prescott is almost \$13,000. It seems as they make gains they also lose a little bit. They can balance the budget, but it cannot be done without labor cuts. They need to reduce by more than 5%, but not quite 8%.

Mr. Dillon stated that difficult decisions need to be made. Everyone is working together to try to solve the situation.

Mr. Cunningham asked if there were any Dunstable students in the Prescott School. Mr. Dillon replied that there were not, and if the building had no students at all it is still part of the district and \$17,000 would all be on town of Groton which is not consistent with what is happening now. Tarbell was charged off on the total school ratio.

Mr. Cunningham stated that there was no debt on Tarbell. Val corrected that there are 2 - 3 and operational costs.

Mr. Dillon stated that Groton students would be going to Swallow Union. They need to look at the impact and that debt is non-excluded so it would hit the budget directly this year. Val stated that Dunstable did exclude, but Groton did not.

Mr. Cunningham stated that they might want to exclude that \$11,000 at Town Meeting. Mr. Dillon stated that it was not a big figure, but when we are looking at operational this year it is an impact. They need to get parents and citizens information, and look at what initial impact and saving there would be vs. the savings down the road.

Mr. Dillon then stated that the 3 year projections predicted that the lottery, local aid would be level, but the Governors projected lottery level is dependent on successful passage of the casino legislation, so it may be less.

OTHER BUSINESS

Accept \$300 Settlement on Behalf of the library

Mr. Dillon read excerpts from the letter that was received by the Library. The funds are to be used for music programs or projects. The accepting of the funds must be approved by the appropriate public officials.

Mr. Schulman moved to accept the \$300 cash distribution for the Groton Public Library, in connection with the Attorney Generals' Compact Disk Litigation Settlement, under the terms approved by the court. Mr. Cunningham seconded. Unanimous vote.

Council on Aging Appointment, Frances Goldbach

Mr. Dillon stated that the BOS had received a letter of recommendation from the Council on Aging to appoint Frances. He then noted a change to the motion from 'Francis' to 'Frances'.

Mr. Schulman moved to appoint Frances Goldbach to the Council on Aging, term to expire June 30, 2008. Mr. Cunningham seconded. Unanimous vote.

Archives Committee Appointment, Norma Garvin

Mr. Dillon asked if there were a few openings on this committee, and Mr. Ritter replied that there were. Mr. Dillon thanked Norma for volunteering and stated that the Selectmen appreciated all that she has done in town.

Mr. Schulman moved to appoint Norma Garvin to the Archives Committee, term to expire June 30, 2008. Mr. Cunningham seconded. Unanimous vote.

Letter to Congresswoman Niki Tsongas, RE: Project Funding Requests

Mr. Ritter stated that Nikki Tsongas sent the Board a letter informing them that the FY09 Federal appropriations process is about to start for any projects that the town is looking for federal funding for. He has provided a list of about a dozen that might be considered. He needs to have something by this Friday. He and Fran will finalize and send out a response to her by Friday. Behind each request there is an application that needs to be completed.

Mr. Dillon stated that there were a couple of others that they could look at. The total dollars pale in comparison, but there is a need for new voting machines in town, both regular and handicap machines, and possibly there might be something to help with the weeds down in Lost Lake.

Mr. Schulman asked if these were earmarks. Mr. Dillon replied that to some they are earmarks, and some that are necessities.

Mr. Cunningham stated that this was a good list.

Mr. Dillon stated that the municipal parking lot on Station Ave would be done as a direct approach to Representative Tsongas tomorrow. It is definitely something that is needed.

Mr. Schulman stated that the treatment plants should be a high priority.

The Board consented to the list.

Mr. Schulman asked if her predecessor did the same thing. Mr. Dillon replied that it was done but it was not as direct as this. There was no outreach from Congressman Meehan, so the town approached him for this process.

Mr. Dillon then gave the Board an update on the Jenkins Road project. They received an email from Melissa Robbins from Deschene and Farrell, who are representing the Groton Hicks Corp. A determination has been made from the CIL and the DMR that there is a need for relocation. They are now waiting for the DMR and CIL to settle on lease terms. There will be 7 duplex units, and of the 14 units, 2 would be affordable in different duplexes. The existing house will be torn down, but on the same site a new building which would contain 5 rooms to go towards the affordable housing count. There would be 7 out of 15 units counting as 47% towards affordable housing. Things are moving along, and the Attorneys for Hicks and others have been working hard to bring this thing forward.

Town Counsel Analysis

Mr. Ritter informed the Board that there were 6 firms that responded to the RFP, and he had created a summary sheet to compare them. He gave them a brief description of each firm and stated that 4 of the 6 firms would cover Town Meeting as part of the monthly retainer.

Mr. Dillon stated that they needed to look at where the funds were spent over the past few years. Some of the litigation costs were unique and one time. He also noted that there were some inconsistencies with what was listed under the town's current provider's information.

Mr. Schulman stated that one of the worries that he has is that under all of the companies it is structured that litigation is expensive and not under the retainer. With a lot of issues settlements could be made quicker, but the way things are structured its in the best interest of counsel to fight the case to get paid. They should really look at settlement ratios rather than the litigation. Mr. Dillon replied that settlements come from the input of the management. They are the ones who drive the decision as to where to go.

Mr. Cunningham asked if there were towns that were breaking out and retaining a couple of firms. Mr. Ritter replied that where he came from there was a wide range of firms that were used. Mr. Cunningham asked if any one of the firms was held under retainer. Mr. Ritter stated that there was one individual in town who was paid from the legal budget to manage the legal portfolio and then went out to the firms that was best suited for the issue. That person would maintain the legal budget and understand all of the legal issues.

Mr. Ritter stated that he would be having a meeting next week to try to move on to a model and clear up some of the differences on the comparison sheet.

REPORT OF THE INTERIM ADMINISTRATIVE OFFICER

Mr. Ritter stated that the Town Report had been drafted. They would be publishing 500 copies to reduce expenses by about \$1,000. There would be an Insurance Review meeting tomorrow morning at 10:00 am. He would be attending the Regional School District meeting that would be taking place tomorrow evening. There will be a Local Emergency Planning Committee meeting on Thursday morning. There is a North Central Chamber of Commerce lunch on Wednesday. The Capital Planning Committee met last Thursday. Lastly, the Affordable Housing Consultant interviews were in process, and the candidates would be before the Board next Monday for the Selectmen to interview and make a final decision.

SELECTMAN LIAISON REPORTS

Mr. Schulman stated that he had attended a meeting of the facilities task force last week. A number of members have done work on particular schools and have reported back. They need to put together the data for district in some uniform way, so that some decisions can be made. Last Tuesday he read to the 4th grade along with many others in town. He found them to be attentive and they asked intensive questions.

Mr. Cunningham stated that he had also attended reading day, and he was with the 2nd grade. They asked real good questions and were a lot of fun to watch. The breakfast last Friday at Nashoba Tech. was extremely informative. He took part in the budget meeting on Saturday, and it is going to be a real tough year ahead.

Mr. Dillon stated that the Selectmen recognize that there is a lot of angst on behalf of town employees. There have been decisions that have to be made that haven't been made, and they are trying to minimize the impact on town employees. Enrollment of Groton students to Nashoba Tech. has gone up 27%, and the minimum contribution, our increase was about 32% which was an \$80,000 increase. A major portion of that figure is due to their formula where wealth and growth weigh heavily. Last Tuesday night he attended the 43D Infrastructure Committee meeting. They accomplished quite a bit in short period of time. He also attended the School Committee Meeting discussions where there was a presentation report on the educational quality assurance of the school system. The entire school system received a strong satisfactory rating and he congratulated the whole program.

ADJOURN

Mr. Schulman moved to adjourn at 8:35 p.m. Mr. Cunningham seconded. Unanimous vote.

Approved: _____
Stuart Schulman, Clerk

_____ respectfully submitted,
April Iannacone
Office Assistant

Date Approved: *April 22, 2008*