

**BOARD OF SELECTMEN  
MINUTES FEBRUARY 22, 2010  
APPROVED**

**Present:** Peter Cunningham, Chairman; George Dillon, Jr., Vice Chairman; Anna Eliot, Clerk; Joshua A. Degen

**Absent:** Stuart M. Schulman

**Also Present:** Mark W. Haddad, Town Manager; Patrice Garvin, Executive Assistant

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

**TOWN MANAGER'S REPORT**

1. Mr. Haddad reported, with the assistance from Carolyn Fischer, Housing Coordinator and John Giger, Planning Board, a proposed charge for the Prescott School Redevelopment Committee was drafted. Mr. Haddad proposed a seven member committee with the following representation: Three (3) Town Residents; One (1) Local Business Owner; One (1) Representative of the Board of Selectmen; One (1) Representative of the Planning Board; One (1) Representative of the Groton-Dunstable Regional School Committee. Mr. Haddad briefly outlined some of the responsibilities of the committee. Mr. Dillon questioned the responsibility of the committee providing a cost estimate to implement each recommended re-use of the property. Ms. Eliot stated that sometimes this was not possible, and wanted some more time to think about the make-up of the committee. Mr. Haddad noted the comments, and stated that he would bring back a final charge to the selectmen.
  
2. Mr. Haddad distributed a final draft of the Flag Lowering Policy, and requested that the Board approve the revised policy.  
*Mr. Dillon moved to approve the revised Flag Lowering Policy, numbered 95-01. Ms. Eliot seconded the motion. Motion unanimously carried.*
  
3. Mr. Haddad reported that he met with Chief Palma, Tom Delaney, DPW Director, Michelle Collette, Land Use Director and representatives of the MassHighway District 3 Office to discuss the Route 119 and Townsend Road/Proctor Road Intersection. The MRPC traffic study was reviewed by MassHighway but did not meet the warrants required for a traffic light. Mr. Haddad reported that the Town will continue to monitor the intersection, and that MassHighway will be out to review the intersection. A traffic study was also requested of how Academy Hill will impact this intersection. Ms. Eliot asked about accidents at the intersection. Mr. Haddad replied that MassHighway was looking at "turning accidents" not "rear end" accidents. Mr. Haddad added that it was not a money issue, but the intersection just did not meet MassHighway warrants for the installation of a traffic light.
  
4. Mr. Haddad requested that the Board ratify his appointments of Election Workers as , recommended by the Town Clerk.  
*Ms. Eliot moved to ratify the Town Manager's appointments as Election Workers for the following, terms to expire June 30, 2010: Maureen Beal, Lisa O'Neil and Laurie Bonnett. Mr. Dillon seconded the motion. Motion unanimously carried.*
  
5. Mr. Haddad reminded the Board that a Tarbell School walkthrough for developers was scheduled for Thursday, February 25<sup>th</sup> at 10am. Mr. Haddad reported that three RFPs have been sent out and that he would keep the Board updated.

6. Mr. Haddad reminded the Board that there was a Joint meeting with the Board of Selectmen, Finance Committee and School Administration officials on Saturday, February 27<sup>th</sup> at 9am. Mr. Haddad noted that he met with Jay Prager, Finance Committee Chair to discuss the budget in more detail. Mr. Degen suggested calling a separate selectmen's meeting to discuss positions and other potential cuts prior to the joint meeting on February 27<sup>th</sup>. Mr. Haddad stated that he presented a balanced budget. Mr. Dillon stated that more information needed to be gathered before moving forward.
7. Mr. Haddad reported that Carolyn Fischer, Housing Coordinator was drafting an Affordable Housing Trust Regulation and would distribute the draft regulations at the next selectmen's meeting.

### **PUBLIC HEARING, BUIDLING NUMBERING REGULATIONS**

*Ms. Eliot moved to open the Public Hearing at 7:15 p.m. Mr. Dillon seconded the motion. Hearing opened.*

Mr. Cunningham read the legal notice, and asked the Board for comments. Mr. Dillon asked if the private schools concerns have been addressed. Ms. Collette, Land Use Coordinator stated that the private schools concerns have been addressed and both headmasters have been notified. Ms. Collette listed the members of the subcommittee that worked in helping draft the regulations: April Moulton, Bentley Herget, Chris Coutou, Joe Bosselait, John Giger, Mike Bouchard, Rena Swezey, Steve Webber and Tom Orcutt. Ms. Collette wanted to specifically thank John Giger for all of the work he had done on the regulation diagrams. Mr. Cunningham asked Chief Bosselait for his comments. Chief Bosselait stated that it was a public safety issue and the need to find houses in an emergency, which is now spelled out in the regulations. Ms. Collette added that Town Counsel has reviewed the regulations. Mr. Dillon asked if there were going to be any changes to street names. Chief Bosselait stated that there would be no changes to street names, but added the ideal time for changing numbers on a home would be at the time of sale and the intent was to do this.

*Ms. Eliot moved to close the public hearing at 7:30 p.m. Mr. Dillon seconded the motion. Hearing closed.*

*Ms. Eliot moved to adopt the Building Numbering and Street Regulations dated January 26, 2010. Mr. Dillon seconded the motion. Motion unanimously carried.*

### **SENATOR PANAGIOTAKOS BUDGET UPDATE**

Mr. Cunningham thanked Senator Panagiotakos for coming in and discussing the state budget process with the Board. Mr. Cunningham noted a recent article in the Lowell Sun, indicating more cuts to local aide. Mr. Panagiotakos began with a brief history of state revenues from FY08 to FY09. Senator Panagiotakos stated that up until September of 2009 the state tax revenue was slightly increasing and the job market was stable. The state needed to make necessary cuts to balance the budget once the market dropped out. The state used rainy day funds to help get through FY10. The sales tax increase was instituted but the budget continued to be difficult. Senator Panagiotakos stated that the bottom line was that the state needed jobs to stay competitive, and noted the length in time people were receiving unemployment benefits, which was compounded by the number of people out of work.

Senator Panagiotakos listed three assumptions that the Governor was making when he balanced his budget:

1. 160 million in federal medicare reimbursements to the state for long term disability. Senator Panagiotakos stated that this money has not been reimbursed to the state and he was unsure if the state would get the money, and in which Fiscal Year.
2. 150 million in tax new proposals. Senator Panagiotakos stated that he does not believe the legislature will approve any new taxes.

3. The state borrowed 350 million in FY10 to fund its operating costs. Senator Panagiotakos stated that this was never a good thing to do.

Senator Panagiotakos stated that the Governor's budget was a best case scenario. Senator Panagiotakos stated "budget busters" were Mass Health, and Chapter 70-unrestricted local aid. Mr. Cunningham asked if there were any efforts to consolidate state departments. Senator Panagiotakos replied that there was always room for improvement in efficiencies. Mr. Cunningham asked about lottery money and if it was coming back to the towns. Senator Panagiotakos stated that some of the lottery money was restricted for Local Cultural Councils but the rest went back to the towns.

Mr. Dillon asked if a conference committee was being held in March to produce a better indicator of the state budget numbers. Senator Panagiotakos stated an early local aid resolution was set for March. Mr. Dillon commented that there has been a decrease in Chapter 70 and the town was hit hard by the minimum contribution increase. Mr. Dillon added that this increase is not in line with other communities. Senator Panagiotakos replied that it was the Chapter 70 formula that needed to be reviewed.

Mr. Degen commented that last year the budget was set and then the state pulled back on local aid. Senator Panagiotakos stated again that there was a commitment to get information back to towns in early March and he understood the frustration. Mr. Cunningham asked about some of the unfunded mandates from the state and if the state was looking into backing off the mandates. Senator Panagiotakos stated that it would be looked at but on a case by case basis.

Mr. Dillon asked if there were any suggestions for pension reform being discussed and if the unfunded liability will be extended to 2040. Senator Panagiotakos stated that the state can cut around the edges but getting to the core of restructuring pensions would be hard. Mr. Haddad asked about the Quinn Bill and if funding would continue to decrease. Senator Panagiotakos stated that due to his brother being a Lowell Police Officer he could not comment on Quinn.

#### Audience

1. Kevin McKenzie, Nashoba Valley Technical High School Representative commented on the recent action by the state to cut Transportation money to the regional district and the how unfair the cut would have been. Mr. McKenzie asked that if cuts were made to the Transportation budget it be done fairly. Senator Panagiotakos agreed that the proposed cut to the regional transportation was unfair and he worked to restore the money to the schools. Mr. McKenzie asked if the restrictions for stabilization for regional schools would be loosened. Senator Panagiotakos stated that he could look into it.
2. Peter Carson, Groton School Committee member stated that under the current Chapter 70 formula, you are penalized if you are successful. Senator Panagiotakos stated that the formula needed to be reviewed by legislatures.
3. Connie Sartini, Groton Herald asked about Mass Health and what could be done to address it. Senator Panagiotakos stated that the state can only do so much because it can't cap enrollment, and added that the private sector can't afford to pay more because it's stretched to the breaking point.

Mr. Dillon stated that one time money cannot fund the operating budget and hoped Senator Panagiotakos did not advocate that type of budgeting. Senator Panagiotakos agreed with Mr. Dillon and stated that one time budgeting has a cost in the future and that the state should prioritize it's spending.

Mr. Cunningham thanked Senator Panagiotakos for attending the selectmen's meeting.

#### **TOWN MANAGER'S REPORT CONTINUED**

4. Mr. Haddad was concerned with the IT's office location and the lack of security it provides. Mr. Haddad reported that the departments on the second floor met to discuss relocating offices and he will be working with the affected offices on the planned relocation.

#### **OTHER BUSINESS**

George Wheatley suggested that the Board consider a 10% pay cut for employees to help with the budget. Mr. Wheatley also commented on the local income tax that the Town of Concord has suggested. Mr. Wheatley was also concerned with the cross walks in town. Mr. Cunningham thanked Mr. Wheatley for his comments.

#### **LIAISON REPORTS**

Ms. Eliot attended the Town Forest Committee. Ms. Eliot stated that at the Town Forest Committee, access to Ames Meadow was discussed. Mr. Degen stated that a new superintendent has been selected, pending successful negotiations. Mr. Degen thanked Dr. Genovese for all of his hard work.

Mr. Degen read a prepared statement regarding the Lost Lake Sewer and the opportunity for the Town to receive federal money to fund 45% of the projects costs. The town still needed to collect more surveys in order to qualify for the federal money. Mr. Degen urged residents to return the Lost Lake Sewer survey and noted that all information was confidential.

Mr. Cunningham reported that he and Mr. Haddad met with Rob Develyn of Fisheries and Wildlife to discuss the recent denial of using Surrenden Farm for a Civil War reenactment. Mr. Dillon noted that the rates for the Country Club membership were being held at the 2009 rates until March 1, 2010 but as of that date this rate would increase.

Mr. Cunningham asked the Board if they wanted to schedule another meeting prior to the February 27<sup>th</sup> joint meeting with the Finance Committee. Mr. Haddad stated that the meeting would be an opportunity to go over the budget. Mr. Degen suggested waiting to meet until the school department sets their budget. Mr. Cunningham stated that the purpose of the joint meeting was to discuss the Town Manager's budget. Mr. Haddad stated that he was unwilling to cut the municipal budget if the savings would be absorbed by the schools. Mr. Dillon stated that the school budget should be reviewed but not dependent on decision the Town makes. He further stated that we, the Town needed to have a very efficient organization at the lowest possible cost to the taxpayer. Mr. Haddad stated that a Thursday, February 25<sup>th</sup> Board of Selectmen's meeting would be scheduled for 5:00pm.

#### **MINUTES**

*Ms. Eliot moved to approve the December 21, 2009 regular meeting minutes. Mr. Dillon seconded the motion. Motion unanimously carried.*

*Mr. Dillon moved to approve the January 4, 2010 regular meeting minutes. Ms. Eliot seconded the motion. Motion unanimously carried.*

#### **ADJOURNMENT**

*Mr. Dillon moved to adjourn at 9:15pm. Ms. Eliot seconded the motion. Meeting adjourned.*

Approved: \_\_\_\_\_  
Anna Eliot, Clerk

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respectfully *submitted*,  
Patrice Garvin  
Executive Assistant to the Town Manager

Date Approved: 3-22-10