

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

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

Not Present: Stuart M. Schulman

Also Present: Mark W. Haddad, Town Manager; Regina Beausoleil, Land Use Assistant, Jay Prager, Finance Committee Chair, Richard Hughson, Finance Committee, Michael Flynn, Finance Committee, Valerie Jenkins, Town Accountant.

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, Chief of Police, Don Palma, Jr. is asking homeowners that have private uninsured damage as a result of last week's flooding contact him at the Public Safety Building (978) 448-5555. This is a request from the Massachusetts Emergency Management Agency to determine if the state meets the threshold for disaster assistance.
Also, area communities have been experiencing an increase in attempted assaults and abductions in public and semi-public areas. Additionally, Groton as well as surrounding towns is seeing an increase in home break-ins and business thefts. The Chief of Police would like to remind citizens to remain aware of their surroundings at all times and report all suspicious activity. If it looks suspicious, it's worth investigating. Please contact the Public Safety Building for further information or concerns.
2. Mr. Haddad provided the Board of Selectmen with a pay comparison of what Town employees have received in pay increases over the last several years. The Personnel Board had recommended that the Town tie any increases to the Social Security Administrations annual adjustment. Based on the comparison which shows that the Social Security increases have been higher than what has been paid to Town employees, Mr. Haddad is recommending against this policy and stated that the Town should continue to base its Wage and Classification adjustment on a case by case basis and the particular budget year. The Board agreed with this recommendation.
3. Mr. Haddad stated that Carolyn Fischer, the Town's Housing Coordinator is recommending that the Affordable Housing Trust Committee be made up of 5 members. In addition, Ms. Fischer determined that the Housing Trust Committee can borrow money on such terms and conditions as the Board deems advisable. Mr. Dillon would like to see this further clarified to and a more in depth definition developed. Mr. Haddad will work with Ms. Fischer and report back to the Board.
4. Ms. Eliot moved that the Board reappoint Georgess McHargue to the Board of Registrars to a three year term to expire on March 31, 2013. Mr. Dillon seconded the motion and the vote was unanimous in favor.

5. Ms. Eliot moved that the Board of Selectmen grant permission to the Groton Garden Club to conduct their annual plant sale in front of Town Hall on Saturday, May 8, 2010 from 8:30 a.m. to 12:00 noon. Mr. Dillon seconded the motion and the vote was unanimous in favor.
6. Ms. Eliot moved to grant a one-day all alcoholic liquor license to Lawrence Academy on Saturday, May 1, 2010 from 6:00 p.m. to 11:00 p.m. for their Bi-annual Scholarship Fundraiser. Mr. Dillon seconded the motion and the vote was unanimous in favor.

Ms. Eliot moved to grant a one-day all alcoholic liquor license to Lawrence Academy on Friday, May 7, 2010 from 6:00 p.m. to 10:30 for their annual alumni reunion. Mr. Dillon seconded the motion and the vote was unanimous in favor.

Ms. Eliot moved to grant a one day beer and wine license to Lawrence Academy on Saturday, May 8, 2010 from 4:00 p.m. to 11:00 p.m. for their annual alumni reunion. Mr. Dillon seconded the motion and the vote was unanimous in favor.

7. Mr. Haddad stated that this was the last week to pull papers to run for the various elected positions on the Annual Town Election ballot on May 18, 2010. No one has pulled papers for the Board of Health or Water Commissioners. Nomination papers need to be pulled by March Friday, March 26th and returned to the Town Clerk by Tuesday, March 30, 2010.

Public Hearing on 2010 Spring Town Meeting Warrant

At 7:30 p.m., Mr. Cunningham announced that the Board of Selectmen would be conducting a public hearing on the 2010 Spring Town Meeting Warrant in joint session with the Finance Committee. He read the public notice into the record. Since there was not a quorum of the Finance Committee, the Finance Committee meeting was not called into session. The three members of the Finance Committee that were present decided to participate in the hearing as citizens.

Mr. Haddad led the review of the Warrant by discussing each of the articles. There are 19 articles on the Spring Town Meeting Warrant and 7 articles on the Special Town Meeting Warrant. Mr. Haddad briefly summarized each article as follows:

Article 1 – Hear Reports - To hear reports of Town Boards, Committees and Commissions.

Article 2 – Apply for Grants - To allow the Board of Selectmen to apply for grants that may become available during the year.

Article 3 – Election Officials Compensation - To provide compensation for elected officials as proposed by the Town Manager.

Article 4 – Wage and Classification Schedule - This article proposes a 2% wage and salary classification adjustment for FY 2011 for employees covered by the Personnel Bylaw or who have individual contracts.

Article 5 – Annual Operating Budget – To vote on the Fiscal Year 2011 Town Operating Budget.

Article 6 – Fiscal Year 2011 Capital Budget – To vote on the Fiscal Year 2011 Capital Budget as proposed by the Town Manager.

Article 7 – Stormwater Management Revolving Fund - This article reauthorizes the use of the revolving fund for technical review and processing of applications submitted under Chapter 198, Stormwater Management - Low Impact Development.

Article 8 – Conservation Commission Revolving Fund - This article reauthorizes the use of the revolving fund (established in 2007) for the management of conservation land in Groton. Reauthorization allows for reduced fees for management of conservation lands in Groton.

Article 9 – Accept Law Increasing Real Estate Tax Exemption - This article is geared to elderly persons, blind persons and veterans with service connected disabilities. It would increase the exemption under state statute up to 100% of the exemption.

Article 10 – Community Preservation Committee Funding Accounts - This is an accounting procedure that is necessary to ensure the Community Preservation Committee will have access to the funds raised during FY11. None of these funds will be spent without additional approval at Town Meeting.

Article 11 - Community Preservation Funding Recommendations – This article presents the annual recommendations of the CPC to the Town Meeting.

Article 12 – Debt Service for Surrenden Farms - This article appropriates the debt payments for the Surrenden Farms Land Purchase. Funding for this article will come from Community Preservation Funds. The anticipated debt service for FY 2011 is \$494,013.

Article 13 – Bylaw Amendments Affecting Town Operations - The 2009 Fall Town Meeting voted to authorize a petition for a special act to amend Article 5 of the Charter of the Town of Groton (Chapter 81 of the Acts of 2008) by providing for a Department of Public Works (new Section 5-4). The new DPW eliminated the elected Highway Surveyor position and replaced it with an appointed Director of Public Works, who would perform the duties previously performed by the Highway Surveyor. There are several Town Bylaws that make reference to the Highway Surveyor. The purpose of this article is to amend those Bylaws to reflect the newly created Director of Public Works position.

Article 14 – Amendment to Chapter 218 Zoning - The 2009 Fall Town Meeting voted to authorize a petition for a special act to amend Article 5 of the Charter of the Town of Groton by providing for a Department of Public Works (new Section 5-4). The new DPW eliminated the elected Highway Surveyor position and replaced it with an appointed Director of Public Works, who would perform the duties previously performed by the Highway Surveyor. This is another Town Bylaw that makes reference to the Highway Surveyor. The purpose of this article is to amend the Zoning Bylaws to reflect the newly created Director of Public Works position.

Article 15 – Amendment to Chapter 218 Zoning – Flood Plain Maps - The proposed amendment will reflect the updating of the floodplain maps as required by the Federal Emergency Management Agency (FEMA). According to FEMA, no significant changes have been made to the flood hazard data for the Town of Groton.

Article 16 – Rescind Borrowing Authorization - The April 24, 2006 Special Town Meeting authorized the borrowing of \$5,650,000 for the Surrenden Farm purchase. Short term notes were issued for that amount. When the short term notes came due, the Community Preservation Committee paid down the short term notes with \$510,000 in CPA Tax Receipts and \$125,000 in grant funds. This resulted in a long term bond of \$5,015,000 because the remaining \$635,000 was paid down rather than bonded. The Department of Revenue views that balance as excess borrowing capacity. This vote would rescind the excess capacity.

Article 17 – Accept M.G.L., Chapter 90, Section 20A½ - In 1986, the Town of Groton accepted M.G.L. Chapter 90, Section 20A, which sets forth parking violation procedures and established the position of Parking Clerk. The Town follows these procedures in all matters pertaining to parking violations in Town. The Legislature authorized an alternative for enforcement of parking regulations with the adoption of M.G.L., Chapter 90, Section 20A½ which requires adoption of a local schedule of fines and sets different limits for fines. The acceptance of this provision of the General laws will allow the Town more flexibility when adopting and enforcing parking regulations.

Article 18 – Amendment to Chapter 198 - The proposed amendment adds an emergency provision to control erosion and prevent stormwater damage to public ways and abutting properties when such an

emergency occurs. The proposed remedies would be subject to the review and approval of the Earth Removal Stormwater Advisory Committee.

Article 19 – Amendment to Chapter 134 - The proposed amendment removes a section of the by-law governing small quantities of earth removal. The regulations adopted under the by-law include an expedited process for earth removal associated with construction.

Special Town Meeting

Article 1 – Current Year Line Item Transfers - To transfer money within the FY 2010 Budget should the need arise. A handout explaining any necessary transfer will be available at Town Meeting.

Article 2 – Transfer Within Water Enterprise Fund - This article allows the Water Department to transfer money from its surplus account to cover any deficit in the FY 2010 budget. More information will be provided at Town Meeting to explain any transfer requested under this article.

Article 3 – Transfer Within Sewer Enterprise Fund - This article allows the Sewer Department to transfer money from its surplus account to cover any deficit in the FY 2010 budget. More information will be provided at Town Meeting to explain any transfer requested under this article.

Article 4 – Prior Year Bills - Town Meeting approval is required to pay bills from a prior fiscal year. A list of unpaid bills will be provided at Town Meeting.

Article 5 – Commercial Property Revaluation - This article requests an appropriation of the necessary funding to update the Commercial and Industrial property in Town for the FY 2011 revaluation as required by Massachusetts State Law. This includes new commercial and industrial land and building values, cost base rates, income analysis, market rents, capitalization factors and preliminary Department of Revenue certification. The Town's assessing vendor (currently Vision Appraisal) will provide all services in conformance with all Department of Revenue requirements.

Article 6 – Tarbell School – This article asks the Town to determine the future of the Tarbell School based on the results of the RFP to be opened on March 25, 2010.

Article 7 – Land Acquisition on Station Avenue - The Groton Electric Light Department has investigated several scenarios for the relocation of their current office facilities located on Station Avenue. After much deliberation, it appears that rebuilding on Station Avenue is their best option. In order to construct the best facility with minimal impact on the Station Avenue neighborhood, it appears that acquiring land adjacent to the current facilities would be in the Department's best interest. The purpose of this article is to authorize the Board of Selectmen to acquire these two parcels on behalf of the Electric Light Department. The funds for these purchases will come from the revenues of the Electric Light Department.

At the conclusion of the presentation of the Articles, Mr. Dillon moved to close the public hearing. Ms. Eliot seconded the motion and the vote was unanimous.

Selectmen Liaison Reports

Mr. Degen congratulated Eagle Scout Matthew Rasmussen on becoming an Eagle Scout. Mr. Degen invited residents to assist in the clean-up of the Groton Country Club on Saturday, April 3rd. Ms. Eliot stated that the Planning Board appointed the various representatives to assist on the Master Plan Update. Mr. Cunningham commended the Town Public safety officials on their outstanding efforts in dealing with the recent flood. Mr. Haddad thanked them as well.

MINUTES

Ms. Eliot moved to approve the February 22, 2010 regular meeting minutes. Mr. Dillon seconded the motion and the vote was unanimous in favor.

Ms. Eliot moved to approve the Joint Budget Hearing Minutes of February 27, 2010. Mr. Dillon seconded the motion and motion carried 3-0-1 with Mr. Degen abstaining.

ADJOURNMENT

Mr. Dillon moved to adjourn at 8:40pm. Ms. Eliot seconded the motion. Meeting adjourned.

Approved: _____
Anna Eliot, Clerk

respectfully submitted,
Regina Beausoleil, Land Use Assistant

Date Approved: 4-20-10