

**SELECT BOARD MEETING MINUTES
MINUTES AUGUST 27, 2018
APPROVED**

BOS Members Present: Barry A. Pease, Chair; Alison S. Manugian, Vice Chair; John R. Giger, Clerk; Joshua A. Degen, Member; Rebecca H. Pine, Member

Also Present: Dawn Dunbar, Executive Assistant

Mr. Pease called the meeting to order at 7:00pm and reviewed the agenda including a new statement in the footnote of the agenda concerning votes being taken.

Mr. Pease said that Mr. Haddad was out sick and that he would be reading the Town Manager's Report.

ANNOUNCEMENTS

Ms. Pine announced the new polling location for those who used to vote in West Groton and upcoming election information from the Town Clerk.

TOWN MANAGER'S REPORT

1. At the request of Police Chief Michael Luth, The Town Manager has appointed Kevin Henehan as a Sergeant for the Groton Police Department. The Board was asked to consider ratifying the Town Manager's appointment. Chief Luth read a statement into the record regarding Officer Henehan.

Ms. Manugian moved to ratify the Town Manager's appointment of Sgt. Henehan as a member of the Police Department. Ms. Pine seconded the motion. The motion carried unanimously.

2. Mr. Pease read from the Town Manager's Report - Vyctoria Pantano submitted her resignation as Payroll Clerk/Assistant to the Treasurer to accept a job with the City of Lowell. Instead of going through the expense of advertising for the position, the Treasurer/Collector, Assistant Treasurer/Collector and Human Resources Director reviewed all the resumes recently submitted for the Interdepartmental Administrative Assistant position (74 resumes) to determine if there were any qualified candidates. They found three (3) resumes that met the qualifications of the position. They were interviewed and the Treasurer/Collector requested that the Town Manager appoint Nancy Amari of Groton to the position. Mr. Pease said that the Town Manager had made the appointment and respectfully request that the Board ratify the appointment. Mr. Hartnett said that even though the process was a little bit expedited they had a plethora of resumes from a recent search. He said that Nancy stood out and thought that the job would fall into place rather quickly. He said that she was a fairly new resident to the Town of Groton and that she would be a great fit for the department. Ms. Amari said that she was looking forward to starting and for a nice change.

Ms. Manugian ratify the Town Manager's appointment of Nancy Amari as Payroll Clerk/Assistant to the Treasurer effective September 10, 2018. Mr. Giger seconded the motion. The motion carried 4-0-1 with Mr. Degen abstaining.

Mr. Degen said that the hiring process didn't follow their practices and was not how they went about advertising for positions. Mr. Giger said that he was uncomfortableness with this but after talking to the Town Manager it was advertised internally for 5 days.

WARRANT PUBLIC HEARING

Ms. Pine move to reopen the public hearing for the October 1, 2018 Special and Fall Town Meeting Warrants. Ms. Manugian seconded the motion. The motion carried unanimously.

Mr. Pease reviewed each warrant article and asked for questions as he went along.

Article 7: Ms. Pine asked about the replacement building being proposed at the highway garage and if the current building could be used as is and just renovated. Mr. Degen said that the building that stores the trucks and equipment was not heated and piecemealed together over the years and needed replacement.

Article 10: Ms. Pine said it would be helpful if they had figured out what they were doing about the Prescott Oversight Committee appointed last year. Mr. Pease asked if this could be done under the Town Manager's Report. Ms. Pine said she thought it should be decided and the voters notified. Mr. Degen said that there was a conflict between the article and summary.

Mr. Degen moved to suspend the public hearing on the Warrant until the conclusion of the next scheduled public hearing. Ms. Manugian seconded the motion. The motion carried unanimously.

FOUR CORNERS SEWER REGULATIONS AND FEE STRUCTURE PUBLIC HEARING

Ms. Dunbar read the public hearing notice into the record.

Mr. Degen moved to open the public hearing as worded in the advertisement. Ms. Manugian seconded the motion. The motion carried unanimously.

Jim Gmeiner said that he and Mr. Orcutt had reviewed the regulations and fees and was present to discuss the revised version with the Board. Mr. Pease pulled up the recommendations as drafted by Environmental Partners. Mr. Gmeiner said that the IMA with Ayer required the Town of Groton to pay \$4,800 for each bedroom equivalent connection. He said that they had to tailor the regulations to fit in with this equivalent adding they had to pay Ayer a minimum each quarter. He said that there wasn't enough flow at this time to cover that cost. Mr. Gmeiner said that the letter from Environmental Partners pointed out that Ayer was highly dependent on Industrial uses adding they wanted to build up a bank. Mr. Giger asked if the rates proposed reflected and incorporated all the recommendations in the Environmental Partners letter. Mr. Gmeiner said that they deviated to the extent that the rates charged reflected what they had to pay Ayer. He said that they parallel what was done in the Center of Town which was tiered rates. Mr. Gmeiner said that Environmental Partners recommended going with the tiered rates after an email exchange he had with them which he could provide the Board with if they wanted to see it. Ms. Pine said she had no problem with the rates. Ms. Pine said that the article described the boundaries of the district to include some housing. Mr. Pease said that the rates had nothing to do with the Town Meeting vote. He said that the rates had to be set up based on the 2015 district. Mr. Gmeiner said that the boundaries could be subject to amendments. Mr. Degen asked what would happen if the change in district was not passed adding specifically if the rates would be sufficient. Mr. Gmeiner said that they would be for the time being. There was a brief discussion on connection fees to provide an understanding for the different models used for Pepperell (the Center Sewer System) and what was being proposed for Ayer (Four Corners Sewer System).

Mr. Degen moved to exit the public hearing. Ms. Manugian seconded the motion. The motion carried unanimously.

Mr. Degen moved that the Select Board acting as the Four Corners Sewer Commission adopt the rates and regulations as discussed at this public hearing. Ms. Pine seconded the motion. The motion carried unanimously.

WARRANT PUBLIC HEARING – Cont.

Mr. Degen moved to reopen the public hearing on the warrants. Ms. Manugian seconded the motion. The motion carried unanimously.

Article 11: Ms. Manugian said she was concerned about allocating capacity for this proposed project for future years. Mr. Gmeiner said that the Sewer Commission was still discussing the request to extend the sewer to 227 Boston Road. He said that their next meeting was on September 5th. He said that the parcel from the GIS map showed a lot on wetlands and didn't look as large as one would think. He said that the applicant wanted to make the barn usable for events between May and October and would not be heated. Mr. Giger said he would like to see this article and any future articles to extend sewer to concentrate on the maximum amount they were allowed to put into the system. He thought that how it was written could appear to be a blank check for capacity. Ms. Manugian agreed that capacity was vague. Mr. Gmeiner said that 3,240 gallons

per day was the proposed use. He said that the Commission had a similar question and had asked Town Counsel for a recommendation. Mr. Gmeiner said that figuring out what was available was complicated and provided the Board with a brief explanation. Ms. Pine asked what was being proposed. Mr. Gmeiner said that the applicant was proposing construction of a new 4-bedroom house, restrooms in the barn all in addition to the existing 4-bedroom house.

Article 13: Mr. Pease said that the Town Manager had provided the requested maps to the Board. Mr. Giger said that the starter homes had gone through a series of changes adding that the best way to deal with wastewater was to connect to sewer.

Article 17: Mr. Pease asked what the argument was for the demo delay increasing. Ms. Manugian said that the current 6 months didn't provide the Commission with enough time to do their research on historical properties. Mr. Giger said that they were all volunteers and had no funding to hire individuals to do this for them. Ms. Pine said that the Commission didn't have to use the full 18 months adding it gave them time if they needed it. Mr. Degen said that he fundamentally supported the bylaw change but had a problem telling someone they couldn't tear something down on their property because they said it had historical probability.

Mr. Degen moved to close public hearing on the October 1, 2018 Special and Fall Town Meeting Warrants. Ms. Manugian seconded the motion. The motion carried unanimously.

Mr. Pease encouraged them to defer taking positions until the following week.

TOWN MANAGER'S REPORT – Cont.

3. Mr. Pease said that the Economic Development Committee was requesting that the Board consider appointing John Sopka to the Committee. Ms. Manugian said that they had seen a number of recent resignations for many different reasons adding the Committee would love to see him added. She said that the Economic Development Committee voted unanimously to see him appointed.

Ms. Pine move to appoint John Sopka to the Economic Development Committee term to end June 30, 2019. Ms. Manugian seconded the motion. The motion carried unanimously.

4. Mr. Pease read from the Town Manager's Report. He said that Bud Robertson, Alison Manugian and the Town Manager had concluded negotiations with the Friends of Prescott on a three (3) year lease for the operation of the Prescott School. He said that they made one significant change to the terms of the lease. Specifically, the Friends had submitted their proposal with an annual lease payment of \$16,000 that they believed would pay for the utilities of the building. With that cost being estimated to be around \$27,000 a year, this was an unacceptable term to the Town. Based on their goal to have the building taxpayer neutral by year 3 of the lease, they amended the terms of the lease to have the Friends cover all utilities for the building, except insurance, landscaping and snow removal which would be the responsibility of the Town (approximately \$20,000 annually). As far as the rent payment, the Friends would be required to open up their books at the end of the first two Fiscal Years and show the Town the net profits they earned over the course of the year. The Town would receive fifty (50%) percent of the profits annually, to a maximum of \$20,000. In year 3, the rent would be \$20,000. Mr. Pease said that the Board was being asked to consider approving the lease.

Ms. Manugian said that negotiations went well. She said that the lease was for 3 years, that the Friends would be using the ground and first floors, and that the Town would have the right to use the parking lot on voting days. She said that the intent of the lease was to allow them time to get them up and running. Mr. Robertson said that they started with the notion in mind that the town wanted to keep the building which meant that some funding should be in place in the beginning in case something went wrong. He said that both objectives set were met in negotiations. He said that everything in the contract reflected what the town meeting wanted to see. Mr. Giger said that they hadn't seen a business plan and he wasn't in a position to vote on this without it. Ms. Manugian said that the Friends had 6 months to provide that. Mr. Degen said that that had been his understanding all along. Ms. Manugian said that the Friends needed a lease in place before they could produce one. Mr. Robertson said that the Town had the right to pull the lease should they not have business plan in place. Mr. Giger said he was uncomfortable with that

but understood. Mr. Giger asked about ramp going into the basement and how that was going to be funded. Mr. Easom said that the ramp along with gym fire doors and ADA requirements would be funded by CPA funding. Mr. Easom thanked everyone for the results driven process.

Mr. Degen moved that the Select Board approve the lease between the Town of Groton and the Friends of Prescott subject to Article 10 citing insurance requirements. Ms. Manugian seconded the motion. The motion carried unanimously.

MINUTES

Ms. Manugian moved to approve the meeting minutes of July 30, 2018 as presented. Ms. Pine seconded the motion. The motion carried 4-0-1 with Ms. Manugian abstaining.

Ms. Pine moved to enter into Executive Session Pursuant to M.G.L. c30A, §21(a)(3) – “To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares” – Purpose – Review Tentative Agreements with Various Unions with the intention of returning to Open Session at the Conclusion. Ms. Manugian seconded the motion. Roll call: Pease-aye; Manugian-aye; Pine-aye; Degen-aye; Giger-aye

The Board returned to Open Session.

Mr. Degen moved that the Select Board ratify the collective bargaining agreement between the Town of Groton and SEIU 888 Town and Library Employees. Ms. Manugian seconded the motion. The motion carried unanimously.

Mr. Degen moved that the Select Board ratify the collective bargaining agreement between the Town of Groton and SEIU 888 Highway/Transfer Station/Water Employees. Mr. Pease offered a friendly amendment to include that it be contingent on an amendment to the agreement indicating that all new employees are mandatory into the sick bank after probationary period. Ms. Manugian seconded the motion and amendment. The motion carried unanimously.

Mr. Pease adjourned the meeting at 9:45pm.

Approved: _____
John Giger, Clerk

_____ respectfully submitted,
Dawn Dunbar, Executive Assistant

Date Approved: 9/24/18