

**SELECT BOARD MEETING MINUTES  
MINUTES NOVEMBER 19, 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:** Mark W. Haddad, Town Manager; Dawn Dunbar, Executive Assistant

Mr. Pease called the meeting to order at 7:00pm and reviewed the agenda.

**ANNOUNCEMENTS**

Mr. Haddad said that it had been past practice to close Town Hall on the Friday after Thanksgiving. He said that they would be doing the same this year adding that as in the past, employees would use earned time off for the day.

Mr. Haddad said that the Board did not typically meet the Monday after Thanksgiving and said that their next meeting would be on December 3rd. There was a brief discussion about why they were not meeting.

Mr. Giger said that he hosted Pack 12 on Friday from West Groton at the Town Hall to help them understand town government. He said it was great to see them moving forward in the scout process.

**PUBLIC COMMENT PERIOD**

Mr. Petropoulos said that there was a question at the Town Election regarding marijuana and that people he had spoken to were confused. He said he thought that it was a shame there was confusion adding it was governments job to make sure people cast a correct vote and wanted the Board's input. Mr. Pease said that they valued the recent Town Meeting vote prior to this. He said that the ballot question was sent to the AG to make sure it was legal. He said that two members of the Board wrote the yes and no vote guidance that was sent out to all residents in the informational ballot handout. He said he was not sure anything more could have been done. He said that they checked with Town Counsel and it was determined that what they had done was legal. Mr. Petropoulos asked for their opinion on maybe rewording it. Mr. Pine said that she agreed that it was very confusing. She said that the question was drafted by Town Counsel and accepted by the AG. She said that there could never be too many attempts to inform residents. Ms. Pine asked if Mr. Haddad could confirm whether or not they could put what a yes and no vote would do on the local ballot. Mr. Haddad said he didn't think they could but he would double check with the Town Clerk. Mr. Degen said that they were very close to this issue and maybe they should have put this in front of the public earlier to see if people understood it as written and if not, revised it. Mr. Pease said that the idea of a focus group was a good idea and asked who would spawn it. Mr. Haddad said that the Select Board called for the election and that it should be them. Mr. Giger said that he could always find ways to do something better today than yesterday. He said that those were the exact words that had to be changed in the bylaw itself and why they couldn't use different wording. He said that they had state requirements they had to follow on this one.

Mr. Cunningham said that he empathized with the position they were in. He said in general there had been a lot of knowledge out there but the local process may not have been so well known. He said it may be something worth visiting at some point.

**TAX CLASSIFICATION HEARING**

Mr. Haddad read the legal notice for the tax classification hearing into the record and asked the Board to open the public hearing.

*Ms. Pine moved to open the public hearing for the tax classification hearing for 2019. Mr. Degen seconded the motion. The motion carried unanimously.*

*Mr. Degen moved that they suspend the public hearing to a future time of the meeting at the Chair's discretion. Mr. Pine seconded the motion. The motion carried unanimously.*

## **OTHER BUSINESS**

Mr. Haddad said that the Treasurer and Financial Advisor from Unibank was present. He said that they received a very favorable rate of 3.24% when they went out to bid on debt. Mr. Hartnett said that they had gone out to bid and like Mr. Haddad said received a very favorable bid. Ms. Kristy Genga from Unibank, said that they were projecting a 3.5% interest rate and the Town received even better than that. She said that the AAA bond rating really helped with that. Ms. Genga said that the original vote that was taken was sent to all bidders. She said that the total money being requested was \$7,730,000 and that's what the Board would be voting on that day as well as the interest. She said that the bond included the fire truck, Lost Lake Fire Protection and the Senior Center. She said that the fire truck and Lost Lake fire protection were level principal and the Senior Center was done to achieve a level tax rate. Ms. Genga summarized the vote the Board would be taking.

Ms. Manugian said that she was very frustrated with them assuming that the next project (Highway Garage and Library Roof) was going to be a go. She said that it seemed as though it was being manipulated behind the scenes. She said she was uncomfortable with the approach. Mr. Haddad said that they had a capital plan and tried to plan for them with the least impact to the tax payers. He said that his job was to plan for the future. If they didn't pass, then they didn't pass. He said that they were doing their job and for the reasons explained. He said that Wall Street looked at their capital plan and were very happy with their capital planning and he was very comfortable with this process. Ms. Manugian said she would be happier with it if the process and plan were more obvious to the tax payers. Ms. Pine said that they should more publicize their capital plan with a Capital Planning Committee. Mr. Pease asked who the people were that were supposed to be aware of this. Ms. Pine said that she was never aware of the capital plan before she saw it last winter during the budget process. She thought they could do a better job publicizing it. Mr. Pease said that they did in fact discuss it quite a bit during the budget process. He encouraged them to maybe place it as a higher agenda item in the future. Mr. Degen said that they should discuss the Capital Planning Committee the Monday after Thanksgiving. He said he understood Ms. Manugian's point but didn't completely agree with her. He said it was the Town Manager's job to cushion things for the future that may be in the capital plan. He said that the capital plan was out there at any given time. He said that Mr. Haddad needed to be the chief advocate for the capital items and how to fund it. Mr. Haddad said that the Charter required the Town Manager to put together the capital budget. Ms. Manugian talked about similar capital planning including funding planning for the schools.

Ms. Pine read the vote the Select Board was being asked to take into the record.

*Mr. Pease made the motion as read by Ms. Pine. Mr. Giger seconded the motion. The motion carried 4-1 with Ms. Manugian opposed.*

*Mr. Degen moved to reopen the public hearing on the tax classification. Ms. Pine seconded the motion. The motion carried unanimously.*

## **TAX CLASSIFICATION HEARING**

Mr. Garrett Boles introduced himself as the Chair of the Board of Assessors. Mr. Boles reviewed what Proposition 2 ½ was adding it was a cap on the levy. He reviewed what the residential and commercial tax base percentages were adding that the Board was allowed to shift some of the levy over from the residential class to the non-residential class and explained what shifting the rate would do to the commercial tax rate with a max shift of 50%. He said that most communities that have a large residential tax base, like Groton, did not normally shift the tax rate. Mr. Boles said they would be voting to accept a residential factor of 1.

*Ms. Manugian moved that they set the residential tax shift of 1 setting the residential and commercial rates as the same for FY2019. Ms. Pine seconded the motion. The motion carried unanimously.*

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

*Mr. Degen moved to reaffirm the vote taken before the public hearing was closed. Ms. Pine seconded the motion. The motion carried unanimously.*

## TOWN MANAGER'S REPORT

1. Mr. Pease said that he asked for this to be put on the agenda. He said that there had been some changes as to how the annual review of the Town Manager was done and wanted to allow for time to complete it. Ms. Pine wondered how this would fit with the next item. She said there was a deadline they had to adhere to with the Town Manager's contract. Ms. Pine said that she had not been through renewing a contract before. Mr. Pease asked that they allow time to separate these items. He said that starting the review now allowed them some additional time to work on the review prior to the budget. Mr. Degen said he thought they were opening pandora's box. He said that any review would take into account the budget process as part of that review. He said that discussing a contract renewal at this time was also not prudent. Mr. Degen said he would appreciate taking action on Dunstable's request to extend the Town Manager's deadline following a discussion on whether to renew his contract and then discuss the review process. Mr. Pease said he could appreciate that. He said he didn't expect the Board to take action on renewing the Town Manager's contract that night. Mr. Haddad pointed out that the timing of this was in line with what had been done 3 years ago adding that the Board voted to enter into contract negotiations with him on November 16<sup>th</sup>.
2. Mr. Haddad said that the Dunstable Board of Selectmen asked if he could stay for 30 more days. He said that they were interviewing the finalist's the next night and planned to have someone in place by mid-December. Mr. Haddad said he had provided Dunstable with budget guidance but that he was okay either way. Mr. Degen said that Mr. Haddad had done a great job managing the Town of Groton. He said that the request from Dunstable was met by this Board with open arms and that helping Dunstable in a time of need was accepted. Mr. Degen said that there was some resistance to Mr. Haddad continuing through November 30<sup>th</sup> adding that it was their job to make sure that Groton was run well. Mr. Degen said that he had no problem with Mr. Haddad answering calls but was not in favor of extending his time in Dunstable. Mr. Giger said that they somehow needed to bring this to a stop. He said he shared Mr. Degen's concerns. He said that Mr. Haddad had been using his own time to work in Dunstable but was worried he was getting burned out. He said he would be comfortable with a 15-day extension. Ms. Pine said she voted against this from the onset. She said that what she had felt and expressed before stuck at this point. She said there was logic to continuing but thought it had taken a lot more time than what was proposed. She said she was still opposed to this. Ms. Manugian said she could support a 15-day extension but thought going through the end of December was putting too many deadlines together. Mr. Haddad said that a 15-day extension would allow him to at least put a preliminary budget together for them and have a day or two with the new Town Administrator. Mr. Pease said that he agreed that budget formulation was beyond the scope of what was asked for. Mr. Giger said that they didn't stipulate what would be done. He said he would like to see them give Mr. Haddad until December 14<sup>th</sup>.

*Mr. Giger moved that they extend Mr. Haddad's permission to provide professional services to the Town of Dunstable while serving in his current position through and ending on December 14<sup>th</sup>. Mr. Pease asked if he could offer a friendly amendment of with no further extensions being allowed. Mr. Giger accepted the amendment. Ms. Manugian seconded the motion.*

Ms. Marlina Gilbert said that with Mr. Haddad being involved in both Towns and with both budgets had been valuable for the School District and more productive. She said that the Town Manager, who wanted to work in Groton, would never take on more than he could handle and they should listen to what Mr. Haddad felt he could do. Mr. Robertson agreed with what Ms. Gilbert said.

*The motion carried 3-2 with Ms. Pine and Mr. Degen opposed.*

3. Ms. Pine said that the timeline in the Town Manager's contract said that they would have to notify the Town Manager by February 15<sup>th</sup> if they planned to renew. Mr. Degen said he too after thinking for a moment, recollected them talking about this in November the last time they negotiated a contract. Mr. Haddad said that an annual review shouldn't stop them from discussing renewal of his contract. He said that they should be looking at the 10 years he had been here. Mr. Haddad said that notice at this time would also provide him a longer opportunity to find a job if necessary. Mr. Giger said that if they could do it earlier, he thought there was an advantage for both parties. He said that bouncing the question down the road only put it in a larger knot.

*Ms. Manugian moved to request that they open negotiations with the Town Manager for an extension of the contract. Mr. Pease seconded the motion.*

Mr. Degen said he would not be opposed to negotiating but would like to wait until after the budget was completed on December 31st. He said that providing more time for both parties was in all their favors. Ms. Pine said she was unclear of the intention of the motion. Ms. Manugian explained the intent of her motion. There was a brief discussion relative to the deadlines in the review process.

*The motion carried unanimously.*

Ms. Pine suggested beginning the review process on January 1<sup>st</sup>. Mr. Degen suggested keeping the review right where it was. Ms. Manugian said that they needed to be cognizant of the timeframes. Mr. Haddad said that January was fine.

4. Mr. Haddad said that based on an idea generated by Art Prest, he began to investigate the possibility of creating a senior housing development on Town owned land surrounding the Groton Country Club Golf Course. He said that the Towns of Acton and Tyngsboro had successfully created such housing and believed that this had a lot of potential to address a housing need and generate income to make the Country Club more viable. Mr. Haddad said that he reached out to the Affordable Housing Trust for funding to hire an engineer to develop a conceptual plan to determine if this idea was feasible on Country Club Property. He said that he had also filed a 2-page summary to the Community Preservation Committee seeking engineering funds to develop plans and specifications to put such a project out to bid should it be feasible. He said that this would allow the Town to draft an RFP to seek a developer to build such a project. Mr. Haddad said that the Affordable Housing Trust had tabled his request at this time adding that Don Black attended their most recent meeting to present them with a similar proposal to put 80 units on about 20 acres that might need a zoning overlay district. Mr. Haddad said that he appreciated the Affordable Housing Trust's need to obtain greater information on another proposal before deciding how to proceed, but he did not want to see this potential proposal delayed. Mr. Haddad said that if they were to proceed with the Community Preservation Application, he needed to prove that the concept worked. He said he could not move forward without a conceptual plan. Mr. Haddad said that he received a quote for \$4,500 from a local engineer to draft this plan and with the Board's approval and permission, he wanted to hire them as soon as possible. Mr. Haddad asked the Board to consider approving either allowing him to approach the Finance Committee for a Reserve Fund Transfer Request or receive approval from the Select Board to expend funds from Town Hall expenses and then seek reimbursement for this account at the 2019 Spring Town Meeting.

Ms. Fran Stanley said that it would be an inexpensive way to get started on the engineering and see what if any additional money might be needed from the CPC. Mr. Prest gave a history of the Country Club ownership. Mr. Prest said that Mr. Haddad had done a great job working to make the Club break even. Mr. Prest said he hoped they would support this. Mr. Cunningham asked if there was any restriction on this land. Mr. Haddad said he wasn't aware of any but would double check. Ms. Pine said she was in favor of authorizing the funds and exploring this. She added that this needed to be talked about as a "we project" and not as an "I project". Mr. Haddad said that he always did things for the Town. Mr. Degen said that he was not present for the AHT meeting adding that he believed Groton needed to have housing diversity while working to achieve their mandated 10% threshold of affordable housing. He said that this plan would also help gain much needed infrastructure at the Country Club such as a dome over the pool. He said it behooved them to move forward on a conceptual study and see what was required. Mr. Giger said he would like to see a 5-member feasibility planning committee work with Mr. Haddad on this right from the start. Ms. Manugian said she liked that idea and had no big issue with this moving forward but thought there could be other concepts that merited a look. She said she would support the housing as long as they looked at all other possibilities. Mr. Giger said he would like to see a mid-level committee look at all options. Mr. Degen said there was a way to move this forward while reviewing housing and commercial possibilities. He asked if they could add this to the next agenda for further discussion.

5. Mr. Pease asked if it was feasible to have a meeting on the November 26th. Ms. Pine suggested having a workshop on that night because it wouldn't lend to much preparation. She talked about the Capital Planning Committee and adding that for discussion. Mr. Giger suggested that because of the holiday, they not meet just to meet. He suggested that they not cram something into Monday. Ms. Manugian said that a monthly workshop was something they should have. Mr. Pease asked that Mr. Haddad post an agenda for the 26th to review the minutes, discuss the country club concept plan and their goals.

**ON-GOING ISSUES**

Mr. Haddad said that the steel was delivered that say to the Senior Center and that they would begin erecting it the next day.

**LIAISON REPORTS**

Ms. Pine said that the Green Communities Committee met earlier that day. She said that they would be having an informational session with the Board to help everyone understand what this was followed by a joint board(s) meeting.

Ms. Gilbert gave an update on the MSBA and Florence Roche. She said that the MSBA set up upper limit by which they should follow.

Mr. Pease adjourned the meeting at 9:35pm.

Approved: \_\_\_\_\_  
John Giger, Clerk

\_\_\_\_\_ respectfully submitted:  
Dawn Dunbar, Executive Assistant

Date Approved: 12/10/18