

**SELECT BOARD MEETING MINUTES
MINUTES DECEMBER 3, 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

Ms. Pine said that she attended and represented the Board at the community tree lighting ceremony. She said that the Nashua Wild and Scenic River Study Committee was honored at the ceremony.

Mr. Haddad said that he had some sad news to deliver. He said they were fortunate to have a K-9 unit and how Officer Lola had been a valuable member of the department. He said that her health was not there anymore and that she was going to be laid to rest the next day. Mr. Haddad read a proclamation into the record proclaiming December 4, 2018 as K-9 Lola Day.

TOWN MANAGER'S REPORT

1. Mr. Haddad presented a document for the Board to sign relative to the recent tax classification hearing.

OTHER BUSINESS

Mr. Haddad said that there had been a request to address sidewalk plowing in some of the subdivisions in Groton from the School Committee. Mr. Haddad said that the DPW Director did not have the manpower or equipment to take care of anything more than the center of town. Mr. Delaney explained what sidewalks they currently removed snow on. He said that it could take anywhere from 3-5 hours for small storms to 10 plus hours for larger storms to do what they have in the center already. He said that if he were to start adding more sidewalks, the time constraints would be about 30 plus hours of sidewalk plowing. He said that they would essentially be doubling their workload. Mr. Haddad asked how many men he had dedicated to plow the sidewalks. Mr. Delaney said one. Mr. Delaney said that the equipment costs about \$180K a piece and didn't last long in general due to conditions they are subjected to. Ms. Pine asked who was going to take care of the new sidewalks in the center. Mr. Delaney said that they would. Ms. Pine asked why they plowed the sidewalks on Riverbend. Mr. Delaney said that they had always done that because of its connection to the sidewalks on Long Hill Road. Ms. Pine said that they should be concentrating on the sidewalks in the center of town. Ms. Manugian said that part of her concern was that the bus routes had changed significantly this year. She said that they were requiring sidewalks in new developments but didn't take care of them which she thought could be a potential liability to the Town. She wondered if they should ask Town Counsel for an opinion on that. Mr. Delaney said that some towns had a bylaw that required the homeowners to clear the sidewalks in front of their homes. Mr. Haddad said he could reach out to Town Counsel and work with Mr. Delaney and Ms. Dunbar to research what other rural communities do. Ms. Manugian asked if the sidewalks and clearing of them was taken into account when the bus routes were changed. Ms. Gilbert talked about a consultant and the work they had done. Ms. Pine said she thought it made sense to put something in writing about this. Ms. Gilbert said that when the request from a parent came forward, she passed it along but that it was not her intention to see all sidewalks in town plowed. Mr. Robertson said that the liability question was important but he too would like to know how many other towns plowed the sidewalks. He said they should be careful as they look into this. Mr. Pease said that his kids walk down the side of a road to get to the bus stop adding his road didn't have sidewalks. He said that this was going to sound bad but thought it wasn't up to the town to plow all sidewalks and thought it was a bad request. Mr. Giger said that they already had snow removal policy and thought they should look at that first.

Mr. Green called the Finance Committee to order at 7:30pm.

TOWN MANAGER'S REPORT- Cont.

2. Mr. Haddad said that he and the Finance Team were proceeding with the development of the Fiscal Year 2020 Town Manager's Proposed Operating Budget. He said that the Select Board and Finance Committee had provided the Town Manager with guidance that the Proposed Budget could not exceed an increase of 2.54% over the Fiscal

Year 2019 Final Budget. In an effort to avoid confusion and eliminate potential accusations of not adhering to the guidance, he was seeking clarification from the Select Board and Finance Committee relative to three expenses FY 2020, two of which would not re-occur in Fiscal Year 2021, and one that the Board directed him to include in the Line Item Budget after the Guidance was provided. Mr. Haddad said that February, 2020 was a Leap Year and this would add an extra day's pay to their hourly employees. He said he had calculated the cost of this additional pay and at this time it came to \$8,020. He said that this would not re-occur in FY 2021. Mr. Haddad said that the second issue had to do with Performance Incentives for many of their Department Heads. He said that they had negotiated a change in the way this was paid adding it would be paid as a one-time cash payment and would not add to the FY 2021 starting base pay for a total amount of \$25,123. Mr. Haddad said that the third issue was the Town's FY 2020 Contribution to the OPEB Trust. Mr. Haddad said that in previous years this contribution was appropriated in a separate article at Town Meeting. He said that based on a request from Select Board Member Manugian, the Board directed him to include the OPEB appropriation in the Operating Budget. Mr. Haddad said that the Town appropriated \$100,000 from Free Cash for this purpose and in FY 2020, based on the recommendation from their Actuary, they would be proposing that they appropriate \$169,000 from Free Cash to keep their OPEB Liability from growing. Mr. Haddad said that this would increase the budget by \$69,000 bringing the total of these three issues to \$102,143 or .67% of the FY 2019 Budget. Mr. Haddad said that two of these were one-time costs, and one was not included in the original FY 2019 budget when the Select Board and Finance Committee voted the FY 2020 Guidance, and all of this funding would come from Free Cash, he was requesting that these three issues not count towards the 2.54% Budget Guidance as .67% was a major impact to the overall 2.54% Guidance.

Mr. Robertson said that the \$69K was not part of the original discussion and thought it made sense that it not be included and that they use free cash. Mr. Robertson said that the merit was not to be added to the ongoing salary expense line adding it was discussed that it would be paid out of free cash. Mr. Haddad explained the logic for calling it a one-time expense. Mr. Robertson said that even though it was not adding to the ongoing salary he thought it should be part of the 2.54% guidance. Mr. Robertson said that leap year was going to happen every 4 years and next year they would decrease the wages by that amount. Mr. Haddad said that he was hearing that the incentive and leap year would count toward the 2.54% but that the OPEB contribution would not count toward the 2.54% guidance. Mr. Green said he was in complete agreement with Mr. Robertson. Ms. Leonard said that the leap year should not be included in the 2.54%. She said that something that happens once every 4 years should not be included in the base adding it was something that was not thought about prior to the guidance. Mr. Degen said that leap year had happened before and would happen again adding what was said made sense to him. Ms. Pine said she could go either way on the leap year thing but agreed with what had been said. Mr. Giger said that he saw leap year as something new. He said that the \$69K should come out of the guidance along with the \$8K leap year pay but that the merit pay be included in the 2.54%. Ms. Manugian said she agreed with Mr. Robertson. Mr. Haddad said that the \$8K request was not a big deal and withdrew his request. Mr. Haddad asked the Board to vote to specifically that the increase to the OPEB funding for this year not count toward the 2.54% budget guidance.

Mr. Degen made the motion. Ms. Pine seconded the motion.

Mr. Giger suggested adding language to the motion as a reminder to them that the leap year pay be removed from the 2021 budget so that they didn't forget about it next year. Mr. Haddad said that he broke it out as a separate line item in each of the budgets so that it wouldn't be included in subsequent years.

Mr. Degen moved to amend his motion to include that the removal of the leap year salary funding from the FY21 budget. Ms. Pine seconded the motion. The motion carried unanimously.

Mr. Green said he would take a Finance Committee motion in support of the Select Board motion and vote. Mr. Prest made the motion. Mr. Manugian seconded the motion. The motion carried unanimously.

Mr. Haddad said that the Assessor's Office had asked for 2 years in a row for 5 additional hours in their office bringing their Assistant Assessor from 35-40 hours. He asked the Select Board and Finance Committee that if he could keep the increase of hours within the 2.54% was that something he could do. He said that the original

guidance was to not add additional personnel or hours. Mr. Green said that he didn't see a problem with the request if it stayed within the guidance.

Mr. Giger moved that they authorize the Town Manager to increase the wages in the Assessor's Office by 5 hours per week as long as it stayed within the 2.54% guidance. Ms. Manugian seconded the motion.

Mr. Greeno said that when Becky Babcock retired, the Principal Assessor at the time said they would be able to get away without having a clerk if they increased the Assistant Assessor to 40 hours. He said that due to budget constraints, those hours were never added. Mr. Greeno said that the Assistant Assessor had the duties of clerk's duties on top of what the job required. He said that the 5 extra hours would go a long way.

The motion carried unanimously.

Mr. Green said he would take a motion in support of the Select Board motion and vote. Mr. Manugian made the motion. Ms. Leonard seconded the motion. The motion carried unanimously.

OTHER BUSINESS

Mr. Haddad said that Mr. Degen asked for this to be placed on the agenda. Mr. Haddad said that the Fire Chief was frustrated and on the verge of walking out for lack of a better term. Mr. Haddad said that Chief McCurdy had questioned what other department had to have a task force look at their department. Mr. Haddad said that the Board needed to discuss how much longer this was going to go on. He added that this was all over an additional \$53K in the budget to add an additional 2 members adding that they needed bring this to a head that night. Mr. Giger said that the Chief was very frustrated and did speak with him after the meeting. Mr. Giger said that the Committee had strung this out extensively and wasn't sure they were any closer to having a recommendation. Mr. Giger said that the process was very frustrating for the Chief adding that Chief McCurdy was not the type that got frustrated easily. Mr. Kane said that it had been a long haul but that there had been a great deal of data acquisition. He said that they were very close and thought they should have a recommendation by February at the latest. Mr. Haddad said that he had been an active participant throughout this process but something went astray that evening. Mr. Degen said that he thought this was an important committee. He said that he was getting the feeling that it was paralysis by analysis at this point. Mr. Degen said that they needed to bring this to a conclusion in time for the FY20 budget. He recommended that this be concluded by a drop-dead date of no later than the end of January and not to be extended. Ms. Manugian said that she agreed with Mr. Degen and understood the Chief's frustration. She said that the department was being spread thin and was not a comfortable position for them to be in. She said she thought that the Committee should come in before the end of the year to make their presentation to the Board even if they were not unanimous. Mr. Kane said it would be difficult for them to have a final recommendation before the end of the year. Ms. Pine said she understood that the Chief might be frustrated but she didn't feel like his department was being singled out adding this was a very important decision for the Town. She said it was important to gather and understand the data. Ms. Pine referred to the report that was done on the Fire Department and how she didn't remember it mentioning the need for additional staff. Mr. Haddad said that the Chairman of the Committee texted him and said they could be done by December 31st. Mr. Haddad said that he disagreed with Ms. Pine adding that the additional personnel was asked for and referred to in the final report. Mr. Giger said that when looking at the data, it could be very precise but that they would always end up with variables. Mr. Giger said he would like to see a recommendation handed to the Town Manager on January 18th. Mr. Haddad said that some of the Chief's frustration was that he had asked for more personnel in the past few budgets and was being told this was something new.

Mr. Petropoulos said that they had heard big asks in the past which had not been very well vetted. Mr. Petropoulos said that he heard the Committee getting to the point where they could provide the community with the necessary information through the data they had compiled. He suggested giving them the time they needed and not rush them.

Ms. Manugian moved to invite the Committee into their meeting on January 14th to provide their verbal draft recommendation with a final report due by January 28th. Ms. Pine seconded the motion.

Mr. Giger asked why they would get a draft and sit on it for 2 additional weeks. Mr. Kane said that the final report would include the feedback from the Board. Mr. Giger asked if the Board would be providing their feedback for the report. Mr. Haddad said that the Finance Committee needed to have a final report for the Saturday budget meeting.

The motion carried unanimously.

Mr. Haddad asked the Board to hold off on creating a committee to look at the country club land until he had time to meet with the engineer.

TOWN MANAGER'S REPORT

3. Mr. Haddad said that he, Ed Cataldo, Takashi Tada, and Town Counsel had been meeting with representatives from Indian Hill Music to settle the issue of the sheet metal permit. He said that as part of discussions, Indian Hill had agreed to pay the permit fee (approximately \$70,000). In addition, Indian Hill had asked that the Town outline all the remaining permit fees that would be required for the facility in order to prevent any confusion or misunderstandings in the future. Mr. Haddad said that they reviewed the entire project and what remaining permits/fees would be required by the Town for the project. Mr. Haddad said that they drafted a memorandum of agreement, which he provided the Board, that listed the responsibilities and fees owed by Indian Hill to the Town. Mr. Haddad said that there was good cooperation from Indian Hill and the Town to reach this Agreement adding it would prevent any confusion in the future. Mr. Haddad respectfully requested that the Board vote to authorize him to sign the Agreement.

Mr. Degen said he didn't understand why they were waving the 6% admin fee on the sheet metal permit. Mr. Haddad said that they didn't have to pay a software vendor anymore adding that Mr. Tada was going to be proposing that they get rid of that fee for everyone. Mr. Degen said he thought there should be wording in there that stated should the 6% fee not be removed for all, that that Indian Hill be charged the fee. Mr. Degen said he wanted to see the Town assess a ticket tax charge to help make up for some of the reduction in the building permit fee. He said that he had been talking about this for a long time. Ms. Manugian said that she understood that the intersection needed to be reconfigured prior to issuance of the occupancy permit and thought it should be included. There was a discussion about making sure that this document was clear on modifications. It was asked that wording about officer details be included, and that the sign bylaw fees be made clearer. Mr. Giger said that Indian Hill had a lot of discussions with the previous police chief about details. He said they needed to understand what the new Chief thought was required. Mr. Haddad said he would bring this back to the Board after talking to Town Counsel.

4. Ms. Pine said that she thought they needed to commit to scheduling a meeting in January with other Boards to discuss what the Green Communities Designation was all about and whether or not to bring this to Town Meeting to adopt the Stretch Code.

Mr. Degen made a motion relative to Ms. Pine's request. Ms. Pine seconded the motion.

Mr. Pease said that this motion was to move forward with discussions and meetings relative a Green Communities Designation. Ms. Pine said thought a meeting like this should be held on a different meeting night. Ms. Manugian said it would help to hear why this didn't work out in the past. Mr. Haddad said that it was because they had their own light department, which wasn't an issue now, and because most of the stretch code had been adopted into the building code.

The motion carried unanimously.

ON-GOING ISSUES

A: Mr. Haddad said that he visited the Senior Center site earlier that day. He said that the steel had been erected and the building construction was well underway. He said that substantial completion was scheduled for 2 weeks earlier than expected right now.

E: Ms. Manugian asked if they could get an update from Mass Highway on a completion date of the sidewalks.

LIAISON REPORTS

Ms. Pine said that there was an editorial in the Boston Globe about CPA funding and that she wanted to discuss this with the Board at their next meeting. Mr. Pease asked her to speak with the CPC.

Ms. Manugian said she went to the School Committee's forums last week with one topic being on 1/2-day kindergarten and the other on the high school start time. She said that there was a lot more work to be done.

MINUTES

Ms. Manugian moved to approve the minutes of November 26, 2018. These were tabled till the next meeting.

Mr. Degen at 9:00pm moved that they enter Executive Session pursuant to M.G.L, c.30A, §21, Clause 2 “To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel” relative to the Fire Chief’s contract and not return to open session. Ms. Pine seconded the motion. Roll Call: Pine-aye; Degen-aye; Giger-aye; Manugian-aye; Pease-aye

Approved: _____
John Giger, Clerk

_____ respectfully submitted:
Dawn Dunbar, Executive Assistant

Date Approved: 12/10/18