

**SELECT BOARD MEETING MINUTES  
MINUTES FEBRUARY 11, 2019  
APPROVED**

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

**Member Absent:** Joshua A. Degen, 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. Vanessa Abraham was present to announce the Groton Reads program.

**TOWN MANAGER'S REPORT**

1. Mr. Haddad said that the Town Treasurer/Tax Collector Mike Hartnett was present to have the Board approve and sign some Bond Anticipation Notes (BAN). Mr. Haddad said that as part of their debt planning schedule, Mr. Hartnett had taken BAN bids on February 7th in the amount of \$1,040,485 for Highway Equipment, Safety Radios and the Whitney Well Construction Project. He said that they would also be paying off the BANs for the items they permanently borrowed last fall (Senior Center, Ladder Truck and Lost Lake). Mr. Hartnett said that this bid came out good and right where they had hoped. He added it was preapproved debt.

*Ms. Manugian moved that they approve and authorize the Bond Anticipation Notes for the highway equipment, safety radios and Whitney Well Project totaling \$1,040,485. Ms. Pine seconded the motion. The motion carried unanimously.*

2. Mr. Haddad respectfully requested that the Board vote to approve a Common Victualler License for the Station House Restaurant, LLC, located at 20 Station Avenue with their hours of operation to be Sunday through Saturday from 8:00 a.m. to 12 midnight.

*Ms. Pine moved to approve Common Victualler license for the Station House Restaurant located at 20 Station Ave with hours of operation to be from 8:00 a.m. to 12 midnight. Mr. Giger seconded the motion. The motion carried unanimously.*

3. Mr. Haddad said that he was pleased to recommend the following candidate for appointment to the position of Police Officer. He said that Peter D. Violette had been a full-time police officer for twenty-nine years serving with the Rindge New Hampshire Police Department and the Fitchburg State College Police prior to transferring to Shirley Police Department in 1996. For the Town of Shirley, he held the rank of Sergeant for fifteen years with prior experience as a patrol officer, investigator, and Corporal. Mr. Haddad said that Mr. Violette held an Associate's degree in Criminal Justice Administration from Mount Wachusett Community College adding that he had passed the required employee physical, psychological exam, and an extensive background investigation. He said that Mr. Violette would bring a wealth of knowledge and experience to the Groton Police Department and was excited to be bringing forward his appointment.

*Ms. Manugian moved to ratify the Town Manager's appointment of Peter Violette as a Patrolman for the Groton Police Department. Mr. Giger seconded the motion. The motion carried unanimously.*

4. Mr. Haddad said that in order for the Town Accountant to receive money donated toward a new Police K-9, the Town needed to establish a gift fund.

*Ms. Manugian moved to accept the gifts and establish a K-9 gift fund. Ms. Pine seconded the motion. The motion carried unanimously.*

5. Mr. Haddad said that as discussed last week, he had drafted a Charge for the so-called Affordable Housing and Country Club Review Committee for the Board's review and discussion. He said that he had had an in-depth discussion with Ms. Pine, who believed that they needed to further discuss this before making a final decision on the Committee. He said that the Board should determine if the Country Club was going to remain as a golf course, summer camp and pool facility before determining if an affordable housing development should be pursued. He said that he provided the Board with the two previous studies conducted on the Country Club.

Ms. Pine said she thought they were mixing 2 different tasks into one committee. She said that the vision for the Country Club was an important task and hadn't been done before. She said that some wanted to keep the club and others didn't adding that one committee should look at the club and the vision and if housing was worth exploring, they would have a committee explore that option. Ms. Manugian said that she was thinking along the same lines. Mr. Giger said that he hadn't had a chance to look at the document proposed by Ms. Pine that night but did think they were cramming too much into one charge. He thought the vision needed to be nailed down first. Mr. Pease suggested tabling this until early March giving the Board an opportunity to look at the draft provided them by Mr. Haddad and to think about the points raised that night. Mr. Giger asked that a committee also determine the type of housing that should be looked for. Ms. Manugian said that the makeup of the committee also needed to be nailed down with specific qualifications. Ms. Manugian said that she also had the thought of having one committee divide into sub committees and to tackle separate aspects of the charge and come back together. Mr. Pease asked about why not using the Affordable Housing Trust that was elected to look at the housing component. Ms. Stanley said that the housing production plan was looking at what they currently needed in town. She said that the greatest need was for families, rental, low income but that they really needed all kinds of affordable housing. Mr. Pease said that fiscally it made sense to look at age restricted homes as it would be less expensive for the Town citing not having to educate new children moving into town. Mr. Giger said that he was not of the opinion that the housing plan should be focused on any particular piece of property.

Mr. Gmeiner said that he was disappointed by the lack of transparency in this process. He said that this was initiated as an idea that Mr. Prest brought forward to add some housing around the Country Club and has turned into a committee to assess the Country Club. He said that the whole idea to look at the fate of the Country Club wasn't something that had been publicized. Mr. Pease said that they were discussing this charge for the first time and couldn't do anything with the Country Club without the vote of town meeting. He said that the Town deserved to know what measures may make it or what to do if it didn't. Mr. Giger said that the mission statement needed to look at what the highest and best use of the property was. Ms. Manugian said that they didn't have enough of an understanding of what possible alternatives were.

6. Mr. Haddad said that during the review of the Proposed Ticket Tax Warrant Article, the Board discussed adding a definition as to what constituted an "event". He said that based on feedback from several members, he tried to come up with a simple definition for the Board's consideration. He said that Ms. Manugian recommended the following:

*"Event" means a performance by paid professionals in a venue with a capacity of two hundred (200) or more, giving a live performance within their professional field.*

Mr. Haddad said that he wanted to keep the definition as simple as possible to avoid confusion. He said it was impossible to address every event that may come up in Groton, but believed the definition did a good job to address most. Mr. Haddad said that the Board received an email from Indian Hill and their opposition to a ticket tax. There was a discussion about making some modifications to the draft bylaw concerning singling GDRSD out. Mr. Haddad said that he had done that so school events such as school plays and concerts were not assessed the fees. Ms. Pine mentioned other non-profits and dance companies that rented out the Performing Arts Center and thought they might consider exempting them too. Ms. Pine said she also wondered if there should be a rule for exemptions. There was a brief discussion of where the money collected if approved should go, i.e.: general fund. Mr. Pease asked about thoughts on charging an event permit instead. Mr. Giger said it was worth exploring. Ms. Manugian said that she was willing to work on this bylaw with Mr. Haddad further in the upcoming weeks.

7. Mr. Haddad said that he had no budget updates but would be attending the Finance Committee's meeting on Wednesday.

Mr. Haddad said that there was no money left in the legal budget after they paid the January legal bill. He said that there was a legal case, Johnson vs. ZBA, that was not anticipated and had cost them \$25K so far. He said that he and Mr. Pease met with Town Counsel today and needed to request a reserve fund transfer for \$30K from the Finance Committee to pay for the Johnson case and cover legal bills through Town Meeting and then do a line item transfer at Town Meeting to get them through May and June.

#### **OTHER BUSINESS**

Mr. Pease said that they needed to discuss the contract for the investigation. Ms. Manugian said that the firm Mead Terman and Costa was ready to start tomorrow and anticipated needing 2-3 weeks to complete this. She said that if everyone was fine with the contract, they could make the vote contingent on obtaining a reserve fund transfer from the Finance Committee. Ms. Pine asked if it had been decided which member of the Board would be interviewed. Ms. Manugian said that the contract said at a minimum one Select Board member would to be interviewed but that it was up to the investigator. Mr. Pease said that they should request \$10K from the FC because it could go over their cap of \$5K depending on how many they interview.

*Ms. Manugian moved to enter into contract with Mead Terman and Costa for an investigation as outlined in the contract and to approach the Finance Committee for a \$10K reserve fund transfer to fund this. Mr. Giger seconded the motion. The motion carried unanimously.*

#### **TOWN MANAGER'S REPORT – Cont.**

Mr. Pease said that a \$30K would hopefully get the legal account through the April billing and they would go to town meeting for a line item transfer. Mr. Pease said that they had also asked Brooks and DeRensis for a breakdown of the anticipated cost of this litigation.

*Ms. Manugian moved that the request a \$40K transfer from the reserve fund to be used for legal expenses. Ms. Pine seconded the motion. The motion carried unanimously.*

#### **OTHER BUSINESS**

Ms. Gilbert said that the school committee had voted on wording for a resolution as discussed briefly by the Select Board last week. Ms. Gilbert said that Senator Kennedy was coming to one of their School Committee meetings so that they could show him how much the lack of state funding had been affecting their district. Ms. Pine said that she was in favor of whatever wording the School Committee signed off on adding she would not be present at the next meeting.

Mr. Pease read the following statement into the record regarding Ms. Pine comments on January 28th.

*On Monday, January 28, 2019, the Select Board held a regular meeting during which the Board discussed whether to initiate an investigation concerning allegations received against the Town Manager, Mark W. Haddad. The allegations were brought by an appointed member of the Fire Department Task Force Committee and concerned an incident occurring on January 7, 2019, during the course of a Committee meeting. During the Board's discussion relative to whether to conduct an investigation, and following reminders of the Chairman, members of the Board were intentionally cautious in making comments to the complaint in hand, only, and focusing on whether to conduct an investigation and how to go about doing so. Member Pine, however, made comments that the investigation should be expanded beyond the allegations advanced by the appointed member of the Committee based upon her having heard "rumors" or "second hand reports", which can only be assumed to involve Mr. Haddad. Member Pine further commented that others who experienced similar behavior may have been silenced from coming forward in the past. Member Pine's comments about expanding the scope of the investigation do not reflect the opinions or thoughts of the full Select Board. In making the comments that she made, Member Pine was speaking on her own behalf. The Board neither supports nor endorses Member Pine's comments in this regard. We disagree with them fully and completely. The comments Member Pine made as to the scope of the investigation were inappropriate, unfortunate, and unfair, and should not have been said. The Board would be ill advised to expand an investigation based upon unsubstantiated rumor(s) and/or uncorroborated second-hand information and the Board will not be doing so in this matter. We will not be offering a further statement on this matter until such time as the investigation is complete and we have a report from the investigator setting forth the investigator's findings and conclusions.*

Ms. Pine said that she agreed with a certain amount of what was said. She said that she didn't handle the situation as well as she should have and regretted some of the words that she used. She apologized for the additional work that she had caused the Board.

Mr. Pease said that they were in the process of renegotiating the Town Managers contract and wanted to request that the Personnel Board conduct a total compensation comparison from them.

*Ms. Manugian moved that they request that the Personnel Board prepare a Town Manager Total Compensation Comparison for them. Ms. Pine seconded the motion. Ms. Manugian asked if they should add a date to this. Mr. Giger suggested the middle of March. It was offered as a friendly amendment. The motion carried unanimously.*

### **ON-GOING BUSINESS**

A: Mr. Haddad said that a new site superintendent from Nelco was starting this week and that they had a roof inspection today adding they were waiting for a final report.

F: Mr. Haddad said that the Committee was meeting tomorrow night to choose an OPM to recommend to the School Committee for the Flo Ro project.

Mr. Haddad said that he, Mr. Degen, and Mr. Bouchard had met on Friday to discuss wording on a ballot question process. He said that once questions were developed, those would go to a focus group to see if the wording was clear and concise. Mr. Haddad said that the yes or no arguments could not go on the ballots as he had stated before. He said that those arguments would still go into the information flyer that goes out.

### **MINUTES**

Ms. Manugian said that her opinion had not changed adding the minutes did not need to be approve unanimously. Ms. Pine said that her suggestion was too strike the word "again" on page 3 line 4 but was not a huge deal to her.

*Ms. Manugian moved to approve the minutes of January 28, 2019 with a single edit of Ms. To Mr. as suggested. Mr. Giger seconded the motion. The motion carried unanimously.*

*Ms. Manugian moved to approve the minutes of February 4, 2019 as presented. Mr. Giger seconded the motion. The motion carried unanimously.*

### **OTHER BUSINESS – Cont.**

*Ms. Manugian moved that the Groton Select Board adopt the following resolution:*

*WHEREAS, free public schools available to all students without exception are foundational to our democracy and are required by the state constitution; and*

*WHEREAS, all of our students, no matter where they live, deserve high-quality public schools that teach the whole child and provide them with a rich school experience that addresses their academic, social and emotional needs;*

*WHEREAS, the state's foundation budget formula, which determines state aid to each district, has been woefully out of date for years, thereby underfunding our districts by more than \$1 billion a year for essential educational services; and*

*WHEREAS, the state's foundation budget formula underestimates the cost of special education services, insurance benefits and regional transportation, and fails to account for unfunded mandates, charter school reimbursements, and the increasing importance of technology in education; and*

*WHEREAS, an updated foundation budget formula could bring Groton-Dunstable Regional School District up to \$563,200 in additional state aid each year, allowing this district to move closer to providing all students with the education to which they are entitled as residents of the Commonwealth; and*

*WHEREAS, the Legislature failed to pass any foundation budget legislation in the last session, leaving districts, educators, and students without the funds necessary to support the schools our students deserve in every district in the state;*

*THEREFORE, be it resolved that the Groton-Dunstable Regional School Committee urges the Legislature to approve and fully fund a new foundation budget formula by May 1, 2019.*

*Ms. Pine seconded the motion. The motion carried unanimously.*

The meeting adjourned at 8:45pm.

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

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

Date Approved: 2/25/19