

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

SB Members Present: Barry A. Pease, Chair (VIA PHONE); Alison S. Manugian, Vice Chair; John R. Giger, Clerk; Rebecca H. Pine, Member

Members Absent: Joshua A. Degen, Member

Also Present: Mark W. Haddad, Town Manager; Dawn Dunbar, Executive Assistant

Ms. Manugian called the meeting to order at 7:00pm and reviewed the agenda.

Mr. Gary Green called the Finance Committee to order at 7:00pm.

PUBLIC COMMENT

Mr. Prest handed out a document that he compiled relative to the request for 2 additional Fire Fighter/EMT's in the Fire Department.

TOWN MANAGER'S REPORT

1. Mr. Haddad said that as part of the process of taking over the Prescott School and the maintenance of it, the insurance company conducted a safety inspection. He said that based on the inspection the following was reported to him by the Insurance Carrier:

"A safety inspection of your premises was recently completed and the following recommendations were developed: Federal Pacific Electrical Company Panel - The electrical box states "Federal Pacific Electric Company" or the "StabLok" brand on the inside panel, therefore the circuit breaker panel box should be replaced with a UL approved panel for this type of exposure."

Mr. Haddad said that unless they fixed this problem, their insurance would be cancelled adding they had no choice but to fix it. He said that Mr. Tom Delaney had received a rough estimate of between \$10,000 and \$15,000 for this work. Mr. Delaney said that the actual estimated quote from the electrician that he received earlier that day came in at \$9,500. Mr. Haddad said that they had two choices to cover this cost. He said that they could use the money appropriated for the Town's cost of insurance and landscaping and replenish it next Fall, or seek a Reserve Fund Transfer. He said he was concerned that the money for the Town's cost of the building was being rapidly depleted for unforeseen repairs and this would not help. Mr. Haddad said that he and Mr. Delaney were not confident that the money appropriated for three years will actually cover three years given the number of issues they had encountered with the Prescott School since the School Committee vacated the building. Mr. Haddad said that he needed direction from the Select Board and Finance Committee on how to proceed.

Ms. Pine said that they had a line item in their Municipal Building budget for unforeseen things like this and asked why they couldn't use this account. Mr. Haddad said that the Municipal Building budget did not have an allocation for Prescott. Mr. Delaney said that he didn't have enough money in that account for the Prescott School. Mr. Haddad said that they funded \$62K at Town Meeting strictly for Prescott that was not being used for other buildings. Mr. Delaney said that they were still learning about this building and things were going to come up. Ms. Manugian said that the cost to maintain Prescott should be kept separate so that they could better track the expenses for the first few years.

7:15PM - NVTHS - SCHOOL COMMITTEE REPS.

Town Moderator, Jason Kauppi was present. Jeff Kubick, Fay Raynor and Brian LeBlanc were present for the School Committee who called themselves to order. Mr. Robert Flynn was also present.

Ms. Manugian nominated Mr. Rob Flynn to serve as the NVTHS School Committee Representative. Ms. Pine seconded the nomination. Mr. Kauppi closed nominations. Roll Call: Manugian-aye, Pease-aye, Giger-aye, Pine-aye, Kubick-aye, LeBlanc-aye, Raynor-aye, Kauppi-aye

Mr. Haddad said that Patricia Madigan submitted a letter of interest and wanted to continue to serve as an alternate. She was not able to be present.

Ms. Manugian nominated Ms. Patricia Madigan to serve as the NVTHS School Committee Representative. Ms. Pine seconded the nomination. Mr. Kauppi closed nominations. Roll Call: Manugian-aye, Pease-aye, Giger-aye, Pine-aye, Kubick-aye, LeBlanc-aye, Raynor-aye, Kauppi-aye

Mr. Flynn thanked everyone for the support and thanked everyone for coming to the budget breakfast. The School Committee unanimously adjourned at 7:18pm.

TOWN MANAGER'S REPORT - CONT.

Mr. Robertson said that it appeared that \$40K had been spent out of the \$62K appropriated. Mr. Haddad said that if he received a reserve fund transfer, he thought he could get through next year. Mr. Delaney said that he needed money for steam traps also. Mr. Haddad changed his answer and said that he would not be able to make it through next year regardless. Mr. Haddad said that he needed \$9,500 to complete the work required by the insurance company. Mr. Robertson said that because this wasn't an operational ongoing issue this was why they funded it out of free cash and wasn't put into the budget like Ms. Pine thought. Mr. Green said that this was supposed to be a 3-year plan. He asked for an updated financial plan for the next 2 years. Mr. Haddad said he could and would recommend opening the warrant to add an article relative to this. Mr. Haddad said that it appeared they had blown this budget but were obviously blind to what the issues really were at the Prescott School when they put together the budget. He said that they went based on what the School Department had paid and it hadn't been close. Mr. David Manugian said that if they spent \$60K for the first year, he asked if they should they be looking at \$60K for each year moving forward. Mr. Delaney said that \$60K each year might be a little high but added high might be good. Mr. Manugian asked if they should budget high or budget low and come back for additional reserve fund transfers. Mr. Green said that they needed to go back to town meeting and let the voters know they need more money. Mr. Haddad said he would like to wait until the Fall Town Meeting to request more money because of other things that may come up. He said that they needed additional time to evaluate the needs of the building. Mr. Giger said that he thought they should only be doing what was absolutely necessary right now. Mr. Robertson asked what happened if they waited until the Fall Town Meeting and Town Meeting didn't want to fund this any further. Mr. Haddad suggested giving him a week to come back next week with a cost estimate allowing them time to work on it. Ms. Manugian said she thought it was more appropriate to bring this to the Spring Town Meeting because it was a financial article. She said she also thought they should bring it to the voters sooner rather than later.

2. Mr. Haddad said that the GDRSD Committee voted to use \$400,000 in E&D Funds in FY 2020 to offset the proposed budget of the School Superintendent and reduce the proposed Operational Assessments to Groton and Dunstable in FY 2020. He said that Groton's Assessment would be reduced by \$308,731. Mr. Haddad said that should the Select Board and Finance Committee decide to fund the two proposed new Firefighter/EMT's in FY 2020, the proposed Operating Budget would be \$30,161 under the anticipated FY 2020 Levy Limit. Mr. Haddad said that he had updated the Five-Year Projection to show different scenarios and proceeded to present the following scenarios:

Scenario #1 - Original Budget Five Year Projection dated December 18, 2018.

Scenario #2 - Superintendent's Budget (Using their Five-Year Projections from FY 21 through FY 25) and adding two new FF/EMT's in FY 2020, which would require overrides from FY 2020 through FY 2025.

Scenario #3 - Reduced GDRSD Budget using E&D (Using their Five-Year Projections from FY 21 through FY 25) and adding two new FF/EMT's in FY 2020, which would require a large override in FY 2021 and then Overrides from FY 2022 through FY 2025.

Scenario #4 - Same as Scenario #3, but not adding any new FF/EMT's to the Fire Department (which would put the FY 2020 budget \$94,200 under the anticipated FY 2020 Levy Limit).

Mr. Robertson said he had concerns funding the 2 firefighters using E&D of the Schools. Mr. Robertson said he would like to see them hold off on the firefighters until 2021 and do an override then adding it was in line with the study done. Ms. Manugian said that starting the 2-year time period now was concerning adding the report was

issued a year and a half ago. Mr. Prest said that they were talking about \$65K for 2 more firefighters or \$25 on the average tax bill. He added that the request from the schools was twice that of the municipal budget.

Mr. Jack Petropoulos said that the Board didn't have enough information a year ago to make a decision and why they held off on it then. He said that they didn't get a cost analysis or alternatives from the Task Force and thought that they were no further ahead than they were a year ago. He said that the study didn't point out the need for additional firefighters. Mr. Petropoulos said that there wasn't a crisis here and that the Board needed to provide the community with the information leaving out their emotions. He said that the data was not about response times but about call firefighter availability. He said that there was no suggestion about how to fix that.

Mr. Prest said that the document he handed out had the information that Mr. Petropoulos was looking for. He said it talked about the mortality rate relative to response times. He said he pointed out last week that medians needed to be given rather than averages adding that that information had been provided by the Fire Department and was not included in the Task Force's final report. Ms. Pine said that her opinion had not changed since last week. She said that they hired 2 additional firefighters already which was more than they had already. She said that they needed to increase on call recruitment. She said that there was data they did not receive from the Task Force which they needed. She said that they needed to act on cost benefits not emotion adding they needed to look at what they could afford. Ms. Connie Sartini asked about funding this at Town Meeting and whether they would have 2 budgets to act on. Mr. Haddad said that they would have 2 budgets if they were asking for an override adding that a voter could always request amending the budget on the floor of Town Meeting but would have to find the money so that the budget was not unbalanced. Mr. Giger said that this decision should go to the voters as an override. He said that they could continue to study this and confuse themselves more adding that they were just continuing to kick this down the road. He said that they needed to let the voters decide. Ms. Manugian said that she agreed in some part but thought they had not done enough work to understand the other priorities coming down the line. She said that they hadn't heard from the Fire Chief yet and thought that was important. Ms. Pine said that it was hard to get an override to pass and thought they should use an override when they were all in agreement not just to see if people wanted to pay for it. Mr. Pease said that he cautioned them to remember that they had a strong chief and should not tell him how to staff his department. Mr. Petropoulos said that bringing it to the voters was what they should do but that there was no expressed need and not enough data to bring forward. Mr. Giger did not think that a year from now they would be in agreement and would have any more data than they did that day. He said that they had data on the table, that there would not be just one solution and people would continue to argue about it. Mr. Green said that they would not have his vote to fund this using E&D from the Schools.

3. Mr. Haddad said that there were two articles on the Spring Town Meeting Warrant that asked the Town to adopt legislation that would allow the Town to charge an excise tax on short-term rental facilities. He said that the Board needed to determine whether or not to proceed with this proposed legislation. He said that Ms. Dunbar had investigated the number of facilities in Town that provide short term rental and the anticipated income should they proceed with the surcharge. He said that the Board needed to take into consideration the cost of implementing this law. He said it would require inspections by their Fire Department and Building Department to ensure code compliance, on top of monitoring various rental and real estate advertisements to determine who was providing this service. Mr. Haddad said that it was his opinion that potential revenue did not justify the effort to pursue this excise tax and recommended that the Board not pursue this legislation at this time and remove the articles from the Warrant. Ms. Pine said that she was not in favor of this. Mr. Giger said that if the expenses were less than the revenue coming in than he would support this. He said he also wanted to know if they could put this in place but not implement it. Mr. Haddad said that he had not received a response from Town Counsel yet on that. Mr. Giger said he wasn't sure they were losing anything right now. Mr. Pease said he agreed that if the expenses were greater than the revenue, he was okay with not implementing this. Ms. Manugian said that she agreed with what she was hearing.

Ms. Pine moved to remove articles 17 and 18 from the 2019 Spring Town Meeting Warrant regarding short term rentals. Mr. Pease seconded the motion. Roll Call: Manugian-aye, Pease-aye, Giger-aye, Pine-aye

4. Mr. Haddad said that he had provided the Board with a letter from KP Law, who serves as Town Counsel for Pepperell and Labor Counsel for Groton. Pepperell has asked KP Law to undertake a review and provide advice on a proposed Intermunicipal Agreement for police detail mutual aid among Pepperell and several surrounding communities, including Groton. Mr. Haddad said that under the Massachusetts Rules of Professional Conduct, Rule 1.7, they needed a determination from the Groton Board stating that their representation of Pepperell would not affect the exercise of independent professional judgment on behalf of the Town of Groton. Mr. Haddad respectfully requested that the Board consider making this determination. Mr. Haddad said that this was standard procedure.

Ms. Manugian said that she would entertain a motion allowing KP Law to represent Pepperell in a review of police detail rates. Mr. Pease made the motion. Ms. Manugian seconded the motion. It was asked that the Town request a copy of what Pepperell was asking for. Mr. Pease withdrew his motion.

5. Ms. Pine asked if the Conservation Commission would have oversight over James Brook dredging in conjunction with the warrant article. Ms. Pine asked about article 23 and the request for additional liquor licenses.

OTHER BUSINESS

Ms. Manugian said that the investigator was planning on starting interviews this week.

Mr. Haddad said that Mr. Pease asked that an item be added to the agenda to discuss the install of anti-littering signs in conjunction with the new bylaw passed at the previous town meeting. He said that Mr. Delaney was not intending on installing signs. Ms. Manugian said she didn't think that signage would stop people from littering in the right of ways. Mr. Giger suggested posting signs near the all are welcome signs reminding people. Ms. Manugian said she didn't object to putting their new bylaw into the tax bill or electric bill. Ms. Pine agreed that posting signs might not have an effect. It was decided that they would wait until after the Spring Town Meeting to do anything and would look at adding something to the light bill.

Ms. Manugian said that they needed to designate someone to serve on the Tri-Town Budget Committee. Mr. Giger said he thought they had something like this already. Mr. Haddad said that the former superintendent coordinated meetings but that it had gone by the wayside. He said that they were trying to rejuvenate this group. Ms. Manugian said that she was interested in doing this.

Mr. Pease moved that they appoint Ms. Manugian to serve on the Tri-Town Budget Committee. Ms. Pine seconded the motion. Roll Call: Manugian-aye, Pease-aye, Giger-aye, Pine-aye

ON GOING ISSUES

H: Mr. Haddad said that the Highway Garage Committee held a public hearing last week. The plans were presented and refined. He said that they were going out to bid next week and had received a preliminary cost estimate. He said that the Committee was meeting the next morning to look at the cost estimates and plans one more time. He said he would have a better update next week.

MINUTES

Mr. Pease moved to approve the minutes of February 25, 2019. Ms. Manugian seconded the motion. Roll Call: Manugian-aye, Pease-aye, Giger-aye, Pine-abstained

Mr. Pease moved to approve the minutes of March 4, 2019. Ms. Pine seconded the motion. Roll Call: Manugian-aye, Pease-aye, Giger-aye, Pine-abstained

The meeting was adjourned at 9:13pm.

Approved: _____
John Giger, Clerk

_____ respectfully submitted:
Dawn Dunbar, Executive Assistant

Date Approved: 3/18/19