

**SELECT BOARD MEETING MINUTES
MINUTES MARCH 25, 2019
APPROVED**

SB 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 made the following statement:

At the Select Board Meeting on Monday, March 18, 2019, I stated that the Groton Fire Department generally has received about 20 Fire/EMS calls per year between midnight and 6am. I was referring to an informational chart distributed by the Fire Department Task Force at their December Information Session. I have realized that I was misreading the information on the chart. The correct number of Fire/EMS calls between midnight and 6am (from 2015-2017) was about 120 per year.

I sincerely regret my error, and want to offer my apologies to the public, the members of our dedicated and hard-working Fire Department, and the members of the Fire Department Task Force who gathered the data to help guide the public conversation about staffing needs in the Fire Department. It is important to me that we make decisions based on accurate information, and I am deeply chagrined that I inadvertently introduced incorrect information into the discussion.

Ms. Pine thanked Chief McCurdy for helping her to understand the chart.

Mr. Giger announced that the new Town website would be launched on April 10th and thanked Mr. Chiasson for his work on it.

TOWN MANAGER'S REPORT

1. Mr. Haddad said that he had brought forward a Communications Officer last week and was pleased to say the Police Chief and Fire Chief had recommended that Mr. Cotter be appointed as a second Communications Officer. Mr. Haddad said that he had made that appointment and asked the Board to consider ratifying the appointment.

Ms. Manugian moved to ratify the appointment of Christopher Cotter as a Communications Officer for the Groton Police Department effective immediately. Mr. Giger seconded the motion. The motion carried unanimously.

2. Mr. Jim Luening provided background information on what the Great Ponds Advisory Committee was charged to do. He said that they were present to talk about the 3 ponds in Groton they oversee. He said that in Baddacook Pond they had harvested the weeds which had shown success over the past couple of years. He said that hydro-raking had also been used but had not been as effective. He said that they would be coming back to provide the results after the third year. Mr. Luening said that Duck Pond was starting to lose areas because of all the muck. He said that an aeration system had been installed to add more oxygen to help with bacterial breakdown.

2019 SPRING TOWN MEETING WARRANT PUBLIC HEARING CONTINUATION

Mr. Pease asked for a motion to open the public hearing. Ms. Pine made the motion. Mr. Degen seconded the motion. The motion carried unanimously.

Mr. Degen moved to continue the public hearing on the warrant until after the agenda item on the Prescott School. Ms. Manugian seconded the motion. The motion carried unanimously.

TOWN MANAGER'S REPORT – Cont.

Mr. Alex Woodle said that portable toilets had been provided at the boat launches which had made a big difference.

Mr. Woodle said that they had been doing spot treatments for weeds on Lost Lake for a few of years now which had

been successful and would be continuing to do so. Mr. Woodle said that Solitude was recommending a whole lake treatment again next year because a weed was becoming prominent again. Mr. Woodle explained what a watershed was and how a brochure had been developed with tips to keeping the watershed clean and safe. Mr. Woodle said they wanted to bring it to the Board's attention as this was a town resource. The Board thanked Mr. Luening and Mr. Woodle for their update and their time.

3. Mr. Haddad said that as the Board was aware, Section 2.2(b) of the Lease Agreement for the Prescott School between the Town of Groton and the Friends of Prescott called for the Friends to submit a Business Plan to the Select Board for their review and approval and referenced the section of the lease that spoke about this Business Plan. Mr. Haddad said that he had provided the Board with a copy of the Business Plan submitted by the Friends. He said that he, Ms. Manugian, Mr. Robertson had reviewed the Plan and met with the Friends to discuss issues with the Plan.

Ms. Jennings started her presentation by saying that they wanted to talk about the lease and the financials. She said that they believed they could meet the financial obligations as stated in the lease. She said that their revenue outlook was positive over the next 3 years and saw them also creating a capital plan of \$35K a year. She said that they were basing their revenue on Direct Public Support (gifts in kind). She said that they had volunteers that provided their time, including teachers that didn't get paid, something you couldn't put a price on. She said that they also had individual support as well as business sponsorships. Ms. Jennings talked about the CPA grants the Friends have been awarded and what the money has gone towards. Ms. Jennings talked about the number of course offerings. She talked about their short-term rentals and their plans for them. She said that the lease rate average was \$18-20 per square foot as per their consultant. She said that they had 4 current leases and projected in year 2 that they would be able to rent 33% of the rental space. She said that in year 3 they wanted to make the second floor accessible. She said that they had a possible tenant to rent the second floor, a Waldorf school for an estimated \$64K. Mr. Easom said that he kept the books for the Prescott School as their Treasurer. Mr. Easom reviewed a snapshot of the major expenses. Mr. Easom talked about some of the risks to both the Town and the Friends. Ms. Jennings provided a financial plan that extended out 8 years.

Mr. Pease questioned the discrepancy in item 2.2(b) adding that Mr. Haddad and Ms. Jennings interpretation was different. Mr. Haddad showed the Board that the language he cited was in the signed lease. Mr. Pease questioned the Groton Welcome Center and asked if any businesses could say they were the welcome center. Mr. Easom said he assumed it was up for grabs. Ms. Manugian said that she didn't think there was anything unanimous among their group. She said she looked at their mission statement first. She said that the lease rates the Friends had based their plan on were optimistic given the room conditions and sizes. She said that the annual expansion of lease space was optimistic which led her to be concerned about their plan and didn't think they should continue with this lease. Mr. Robertson said that the question became was there a business here and could they make their rent payment in year 3. He said that if they didn't come up with the money they owed the town, that would be the issue. Mr. Haddad said that he disagreed. He said that the business plan would have to show that they had the ability to pay the rent in the third year. He said that they Board needed to make the determination as to whether they thought rent was attainable in year 3 in year 1. Mr. Haddad talked about the sprinkler system quotes and whether they might not be enough money depending on how much the quotes came in it. Mr. Robertson said he didn't believe that they wouldn't be able to come up with the \$20K in rent unless they were out of business. He said he didn't think there was any risk in years 1 and 2. He said that 6 months out of 3 years was not enough time to shoot them down. Mr. Robertson suggested allowing Town Meeting to decide on the \$87K needed to make the necessary repairs, landscaping, etc. and go from there.

Ms. Pine said that she understood that the Friends had \$55K in the bank and asked if they would be willing to put \$20K in escrow for the rent now to reduce their risk. Mr. Easom said that it was a great idea and could be discussed with their Board. Ms. Manugian said that she was struggling with a business plan that wasn't adapting to what the reality was now. She said that there was risk to the Town in retaining the building for the next 3 years. Mr. Giger said that he had a lot of concerns about what the Friends were planning and what they were allowed to do. He said he was surprised they were not the experts on what they could and could not do in that building yet. Mr. Giger was

not aware of a Prescott capital fund yet the Friends had alluded to one. He said that assets and liabilities were not touched upon and thought it should be an inherent part of a business plan. Mr. Giger talked about the Waldorf School and how much risk there was in alluding it to it. Mr. Giger said the building would have to be 100% ADA compliant to include an elevator. He said he agreed with Mr. Robertson but was concerned. Ms. Jennings said she received a letter from the Building Commissioner citing that the offerings were educational and to the standard of a school. Ms. Jennings said that she spoke to Michelle Collette and an elevator would not be needed. The Waldorf school, should it need to accommodate a student's needs, would be allowed to have a classroom on the first floor. Mr. Delaney said that without an updated fire alarm, no children were allowed in the building without parents according to the Fire Marshall's office. Mr. Degen said that the building code was an ever-changing target. He said that the code they were under now needed to be codified and spelled out. Mr. Degen asked if they needed a fire alarm and sprinkler system or just a fire alarm. Ms. Jennings said both. Mr. Degen said that he didn't think they should put money into escrow adding there were too many unknowns. He said that they needed to be providing the Board with quarterly reports. He asked them to provide a forecast if they could not use the second floor. Mr. Degen asked what would happen if they got rid of CPA funding or reduced it once Surrenden Farm was paid off. He said that a development committee was a good idea. Mr. Degen said that an increase in use might outweigh the electrical capacity of the building meaning another possible need that needed to be considered. He said that sewer capacity also needed to be watched. He said that the business plan needed to show what would happen if a tenant moved out and what it would do to their business plan. He said that they should support the lease they signed with the Friends but thought the Friends needed to take the comments given that night and report back in a few weeks. Mr. Degen said he could not support using additional tax dollars on Prescott.

Mr. Easom said that a business plan was an optimistic document. He said that the rental rate had come from a professional in the real estate market adding they had people currently paying those rates. He said he thought Friends was very likely to make the lease payment in year 3 and thought there was an opportunity to discuss the second floor next year. Mr. Easom said that a large part of the revenue came from donations and could talk about the bids when they came in in April. Mr. Easom said that some of the items listed as needing repair could rightfully be transferred to the Friends. He said that he understood the caution adding the Board ought to be cautious but thought they had the experience needed. He said he would not bet against volunteers from the Town adding they could make a big difference.

Ms. Pine said she thought the Friends had done an amazing job adapting to the changing circumstances. She said she was amazed by all the work of the volunteers and thanked them. She said that the Town was guaranteed to get at least \$20K in rent from the Friends in year 3. Mr. Degen said that as an owner of an old building, the unknowns scared him. Mr. Giger said that Town Hall was a beautiful building and was redone for a substantial amount of money all at once years ago. Mr. Pease said that a tough decision was whether they wanted to keep an old building or not.

Mr. Richard Lewis said that Rome wasn't built in a day. He said that the Committee was working hard for the betterment of the Town. He said that would end up with fine building in the end. Mr. Jack Petropoulos said that they had heard reasonable optimism from the Friends. He said that unforeseen costs were not what they were discussing that day. He asked the Board to stay within the four corners of the plan that night and let them prove what Town Meeting has implicitly endorsed. Ms. Diane Hewitt said that despite all obstacles thrown before them, the Friends had become well on their way. She said that they had made good on all their promises thus far. She asked that the Select Board support the Friends adding they were enhancing the quality of their lives. Ms. Gilbert said she wouldn't have signed a lease agreement but since the Board did, she thought they needed to uphold their lease agreement. Ms. Manugian said that she heard what was being said but thought the business plan was based on uses that were not permissible under the state building code. She said that these uses were not legal and could not go along with a business plan that had illegal uses.

Mr. Degen moved that the Select Board accept the business plan conditional upon review of the second-floor conditions within the plan. Mr. Pease seconded the motion.

Ms. Pine said she didn't feel a condition was necessary based on the terms of the lease. She said they would have additional time to discuss that. Mr. Degen said that a business plan was required and why he made the motion as such. He said that he wanted to see real projections if they couldn't use the space on the second floor. There was a discussion about the business plan terms and conditions. Ms. Manugian asked how the use of the second floor was different than use by students under grade 12. Mr. Degen said that he was confused by allowed uses. Ms. Manugian said that it was originally zoned for use group E and transitioned to a use group B. She said that fire breaks, divides and an alarm system needed to be installed in order to combine 2 use groups. She said you couldn't mix use groups by just adding an alarm system.

Mr. Degen withdrew his motion.

Mr. Giger moved to approve the Business Plan as it completed the obligation under 2.2(b) of the lease. Mr. Degen seconded the motion.

Ms. Pine said that her understanding was that the only condition they could legally reject the business plan was if the Friends could not pay \$20K in year 3. She said she saw no legal grounds that they could vote anything but in the affirmative. Ms. Manugian wanted to amend the motion that they exclude use of the second floor and education purposes under the 12th grade. Ms. Dunbar pointed out that the premise stipulated in the lease included use of the basement and first floor only. The second floor could not be considered as part of the discussion. Mr. Pease asked Mr. Giger if he could withdraw his motion. He said that he was not aware that the second floor was not included in the lease. He said that because the business plan talked about the second floor he was not prepared to vote on this. Ms. Jennings said that they thought even without the use of the second floor, she thought they could rent out 65% of the building. Ms. Pine said she was hearing that even without the use of the third floor, they could still make their rent payment and saw no reason to vote against this.

The motion carried 3-2 with Ms. Manugian and Mr. Giger voting against.

2019 SPRING TOWN MEETING WARRANT PUBLIC HEARING CONTINUATION

Mr. Degen moved to reconvene the public hearing on the Spring Town Meeting Warrant. Ms. Manugian seconded the motion. The motion carried unanimously.

Mr. Haddad said that regardless if they pushed off some of the repairs being done to Prescott, they still needed money and asked the Board to consider putting an article on the warrant.

Mr. Giger moved to open the warrant for this sole purpose. Mr. Degen seconded the motion. The motion carried unanimously.

Ms. Pine moved that they add an article to fund Prescott School. Mr. Giger seconded the motion.

Mr. Haddad said that they at a minimum they needed approximately \$65K to meet their obligations.

The motion carried unanimously.

Mr. Degen moved to close the warrant. Ms. Pine seconded. The motion carried unanimously.

Mr. Haddad said that he wanted to discuss the ticket tax article. Ms. Manugian explained the changes she suggested to the original draft. She said that they were not limiting other schools or non-profits and did not feel comfortable precluding them. Ms. Pine said that she had problems excluding the School District but could not figure out how to word this. Mr. Haddad said that under events, a paid professional covered the argument.

Mr. Degen moved to accept the changes as discussed. Ms. Manugian seconded the motion. The motion carried unanimously.

Mr. Haddad said that the Finance Committee had met on Friday morning adding they had not changed their position on an override. He said that they voted 6-0 to recommend moving forward with the addition of 2 firefighters. He said it was difficult to propose an override when they were under the levy limit. He said that the Finance Committee had not taken a formal vote on the budget adding they had voted to reduce the budget by \$3K for the police dog because of donations, and to include the addition of 2 firefighters, that senior van services had been reduced by \$10K and they reduced the health insurance budget by \$13k. He said that they would be \$206K under the levy limit based on projections that day. He said that this also included taking out snow and ice. Mr. Degen said that this still kicked the can down the road adding that the School Committee was going to need that amount plus more next year. Mr. Haddad said that how they funded their budget was not up to the Town. He said that he was not using one-time cash to fund the budget adding that they would pay the assessment given to the by the School Department. Ms. Pine said an override was a tough argument to make when they had money available. Ms. Manugian said there wasn't much of an appetite for an override this year. She said that holding off would be less confusing for the voters. Mr. Pease said he couldn't support an override this year and thought it would be a waste of time.

Mr. Giger moved that they not bring forward a request for an override. Ms. Manugian seconded the motion.

Mr. Degen respected the consensus of the Board but said that next year one of them needed to explain why the override was three quarters of a million dollars.

The motion carried 4-1 with Mr. Degen against.

OTHER BUSINESS

Mr. Giger said that he had attended a meeting of the Recycling Committee. He said that his plan was to bring back a proposal to ban plastic bags to the Fall Town Meeting. He said that it would be up to the Board to run with this adding that the Recycling Committee did not want to bring it forward.

Mr. Pease handed the Board a hard copy of the Town Manager's annual review. He said that he had also just emailed them a copy of it. Mr. Pease said that he completed section 6 that weekend and explained how he put together the compilation and how he included comments. Mr. Pease recommended that they take time to contemplate any amendments adding that he would not be here the following week.

Mr. Degen moved that they request an extension from the Town Manager to discuss the annual review through April 8th. Mr. Giger seconded the motion. The motion carried unanimously.

Mr. Haddad approved the request.

MINUTES

Mr. Degen made a motion to approve the minutes of March 18, 2019. Ms. Manugian seconded the motion. The motion carried unanimously.

The meeting was adjourned at 10:30pm.

Approved: _____
John Giger, Clerk

_____ respectfully submitted:
Dawn Dunbar, Executive Assistant

Date Approved: 4/8/19