



TOWN OF GROTON

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Board of Selectmen

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Town Manager

Mark W. Haddad

To: *Board of Selectmen*

From: *Mark W. Haddad – Town Manager*

Subject: *Weekly Report*

Date: *October 5, 2015*

1. Please note that we will be meeting at Sargisson Beach at 5:00 p.m. for the Re-Dedication of the Beach. I have spoken with Andrew Davis and we decided that if it rains, which is highly likely, we will hold the event on Tuesday, October 13th at 5:00 p.m. prior to the joint meeting with the Finance Committee. The regular meeting will commence at 6:00 p.m. back at Town Hall. Scheduled on Monday's Agenda are two items. I have invited both the Economic Development Committee and Sargisson Beach Committee to the meeting to provide the Board with their Annual Report.
2. At your last meeting, the Board asked that I contact Pepperell to find out if they had in fact filed as an Intervenor on the proposed Tennessee Gas Pipeline. I spoke to Mark Andrews, Pepperell Town Administrator, and they have not yet officially filed. What they have done is pass a resolution to become an Intervenor should an official application be filed with FERC by Tennessee Gas. I have enclosed a copy of the Pepperell Resolution for your review. The Board may want to consider adopting a similar resolution.
3. As requested by the Board, I spoke with Lisa Mead to clarify their price proposal. Lisa offered the following: "In answer to your question, the "All In" flat fee proposal provides in part as follows: *The flat fee includes defense and prosecution of all customary land-use litigation relating to zoning, planning, board of health and conservation, as well as enforcement of zoning and general by-laws. All other litigation will be billed at the firm's hourly rate of \$180.00 per hour.* Your question was, what type of litigation is not covered. First I confirmed that all ATB work not undertaken in regular course by your Assessor would be covered in the flat fee. However, it is the extraordinary litigation that would not be covered. For example, a civil rights claim which might typically be covered by your insurance carrier would not be a part of the flat fee. Another example potentially, if you had a landfill which had leaked hazardous material on neighboring properties resulting in litigation, again which should be covered by insurance but for some reason was not, that would not be a part of the flat fee. It is worth noting that in the nearly ten years that we have been working under the flat fee model, there have been less than 10 cases for all of our towns that fall outside of the all-in flat fee." We can discuss this further at Monday's meeting.
4. The Greenway Committee requested that I appoint Matthew McCracken to the Greenway Committee. I have in fact made this appointment and would respectfully request that Board consider ratifying this appointment at Monday's meeting.

MWH/rjb
Enclosure