



**Board of Selectmen
Minutes
Tuesday, January 17, 2012 at 7:00pm
Town Hall Meeting Room**

The meeting was called to order at 7:00PM by Chair, Marie Sobalvarro in the Town Hall Meeting Room. Selectmen Marie Sobalvarro, Peter Warren, Ron Ricci, Tim Clark and Bill Johnson were all in attendance as well as the Town Administrator Tim Bragan and Executive Assistant Julie Doucet.

MINUTES

On a Ricci/Warren motion, the board voted unanimously to approve minutes from 12/6 & 12/20, as presented.

FRUITLANDS MUSEUM CATERING OPERATING AGREEMENT

Fruitland's Manager Marie Leblanc and Josh Webber from Fireside Catering were both present to explain the new operating agreement they are working on where Fireside will be contracted to provide food and catering/event sales services for the premises/tea room and adjacent tent located at Fruitland's. They confirmed all Fireside Catering servers are TIPS certified. LeBlanc said responsibility regarding the liquor license still resides with Fruitland's as they do remain the license holder. She distributed a letter from Groton Town Manager Mark Haddad to the BOS members stating Fireside Catering (who operates Gibbet Hill Restaurant & Grill) has been in good standing with the town since incorporation in 2004. LeBlanc said the proposed agreement will need to be officially approved by the BOS for formal submission to the ABCC. Once a complete package is finalized a hearing will need to be held by the BOS in February and then the agreement will be submitted to the ABCC. The board was accepting of the new arrangement and was agreeable to hold a hearing in February.

MASSDEVELOPMENT MEETING – VICKSBURG SQUARE

Marie Sobalvarro said she spoke with Victor Normand from the Devens Economic Analysis Team (DEAT) regarding the upcoming meeting on Wednesday, January 18th. He suggested the BOS members use this meeting as an opportunity to ask MassDevelopment to commit resources so DEAT can move forward in better understanding the finances of the Devens project. Johnson was skeptical this would be the right time to bring this up. He does not want to deflect focus of the matter at hand being the proposed Trinity Financial project for Vicksburg Square. Sobalvarro understood this but added since this meeting is being held to hear their perspective on the proposed project it may be a good time to realign focus with MassDevelopment president Marty Jones present. She also added there is a linkage due to the response from Ed Starzec stating MassDevelopment is ready to make a commitment to Devens. Tim Clark said based on the answers they gave to our initial concerns it does create more questions in response. Johnson said it may make sense to frame questions specific to their dwindling reserves particularly our concern with funding of the school contract and a commitment to cover loses by Vicksburg Square. Clark wants to be more specific

requesting what resources they intend to use and how long will those resources last. Warren wondered if any questions not submitted prior would even be addressed. Clark said it was Harvard that requested this meeting so it will be important we first get clarity on their initial responses and more feedback on questions they did not address. Clark noted he has some very specific issues for MassDevelopment to address related to the Vicksburg Square project proposed by Trinity. Key areas he views need to be discussed are related to the equal housing tax credits through HUD which he explained have fairly simple guidelines and in his opinion the proposed project does not meet those guidelines as well as the economic feasibility of this project is questionable. Johnson suggested asking MassDevelopment if they have done their own due diligence by verifying and validating the data and analysis on this project and determined it is desirable or are they placing full trust on the numbers provided by Trinity Financial. Clark said he is also curious as to how the particular project will be moved to the top of a list of several more qualified projects with DHCD and how do they know incentive grants will be secured. All BOS members agreed if this zoning is passed to accommodate this project, whether it passes or not, it is a blanket approval with no assurances. They discussed a possible MOU that could increase the comfort level for us. Johnson was curious if the zoning change could be project specific but other members did not believe so. Marie asked the BOS members unable to attend the meeting to provide her with a written statement to be shared. Ron Ricci said basically the towns are being asked to give up something tangible but we are not being given something in return. Ricci suggested asking MassDevelopment for some ideas on how they think we could provide better services to citizens in a more cost effective manner. He feels it is important we use this as an opportunity to see what they are willing to do for us not just what we are being asked to do for them. Sobalvarro will craft a draft of questions/statements in preparation for the meeting.

PUBLIC COMMUNICATION

Keith Turner, 247 Littleton County Road, expressed excitement and support for the work of the MBC, but also shared his strong concern that the divided opinion on the BOS is confusing the issue and undermining the process. Turner expressed confusion as to why the SOI was necessary, but agreed with Sobalvarro's approach to use it as a guideline or a framework and not as the Holy Grail. He went on to state fiscal conservatism is what has gotten us into this mess with our buildings falling down around us due to deferred maintenance. He said we need to make a distinction between fiscal conservatism and fiscal responsible concerning our needs of today and for the future.

He said the people have spoken clearly they do want a public assembly space. He ended by imploring the BOS to keep in mind it is their obligation and responsibility to do what the people voted for according to Article 17. He specifically asked Johnson and Ricci to embrace this and not confuse the town further. He said the process must move forward, the fighting and undermining of the process must end. He said lets make this happen according to the will of the people and not individual opinions.

Stu Sklar, 39 Scott Road, said Turner took most of his thunder but he wanted to point out the very great need the town has for meeting space. He too feels the MBC public input sessions have been well attended and feedback has been incorporated by the committee.

He said he will be launching an online petition to determine who supports the creation of public meeting space on the second floor of the Town Hall and will share results at an upcoming BOS meeting.

SELECTMEN REPORTS

Peter Warren said the grant for the Facility Manager position has been submitted and we should have an answer by the end of February. He said they are working on meeting with the Personnel and Finance Committees to finalize the job description. Warren expects this to be a warrant article this year and then incorporated into the omnibus budget thereafter.

Marie Sobalvarro noted her absence at the last Elderly & Disabled Taxation Aid Committee meeting but understands they are continuing to draft an article for town meeting. Peter Warren confirmed.

Bill Johnson reminder everyone the old library Pilot Project will return to the February 21st BOS meeting with a report including a five year strategic plan.

Ron Ricci noted the need for three Water Commissioners to be elected at the next town election. The one member who currently is not a BOS member will not be seeking re-election. He said we have not yet received approval to appoint the commission so if no one steps up the responsibility will revert to the BOS members.

Ricci said he received a call from the Capital Planning & Investment Commission (CPIC) Chair George McKenna asking for some numbers on the cost for the entertainment space to be located on the second floor of Town Hall. McKenna does feel this space is within the scope of work and will require explanation at the annual town meeting. Marie Sobalvarro said the cost estimates will come from the architects. Ricci noted he and Marie did not attend the most recent MBC meeting but he did receive feedback the meeting went well. He said Bill Johnson did attend and asked him for his impression. Johnson said the meeting was very productive and collaborative. He commented the members partook in a real interactive discussion on the designs and took the time to share their ideas instead of just evaluating schemes submitted. He is confident they will be able to work with the architects to come up with more innovative ways to meet the needs. Johnson added the committee seemed in agreement they needed more time to evaluate alternatives. One idea they have come up with is to conduct a survey in hopes of reaching out to as many households in town as they can.

TOWN ADMINISTRATOR REPORT

Tim Bragan reported to the board an error related to the new health insurance plans. He said the town will realize a small cost savings. This requires development of a mitigation plan so the initial letters sent needed to be corrected and mailed again. He said once the Insurance Advisory Committee (IAC) will need to meet with the BOS within ten days of receipt of the letter. A potential meeting date will be Wednesday, January 25th at 9:00am.

WARRANT ARTICLE DEADLINES

Monetary articles will be due on Tuesday, February 7th.

All other articles will be due on Tuesday, March 6th.

BOS will approve the ATM warrant at their March 20th meeting.

CHAPTER 138 (Liquor Control Act)

Marie Sobalvarro provided the board members with a draft overview of the chapter and the possibilities for Harvard. The board members decided to request input from the Economic Development Committee (EDC) and have as an article at the spring ATM. Bill Johnson will follow up with EDC on this.

SENIOR TAX WORK OFF PROGRAM FOR 2012

On a Ricci/Warren motion, the board voted unanimously to allocate \$10,000 to the overlay for senior work off program.

COST FOR RELOCATION OF TOWN HALL TO THE OLD LIBRARY

Tim Bragan explained he prepared an estimate/guesstimate which includes items to consider as well as a rough cost breakdown. He noted all three floors would be necessary so obviously the elevator not meeting code is an issue as no accessibility work would be done. Bragan said no heating or plumbing would be done either. Bragan included cost estimates for moving, electrical, phone and voice/data cabling. He totals the cost to be around \$22,400 which does not include materials for electrical or phone/data or the associated partitions/cubicles or addition of a new ramp to the front door or replacement of heating system if necessary. Bragan said he is confident in the labor costs but not as confident on the utility details. Peter Warren asked if Bragan investigated any other locations. Bragan said he did speak with a local realtor and found out rental space approximately 3,500 to 4,000sq ft for around 14 months would cost \$51,000 - \$55,000. He said this space does currently exist in town but cost extra to fit up. Bragan said he has asked the Owners Project Manager (OPM) to take a look at the estimate. Marie Sobalvarro added \$65,182 was the soft cost estimate included in the project management material. The board members discussed the impact a move to the old library would have on the Pilot Project and the Cable Committee. Warren suggested investigating if any town hall staff could be housed in a separate rental space. This would allow some use of the old library, but not all, so Cable and Pilot could maintain their current occupancy. Warren said it would be very costly and difficult for the Cable Committee to move. Cable Committee Chair Mitch Norcross came forward to explain the committee's position. Norcross said he was surprised it was assumed the Cable Committee would need to relocate. He said the committee is an integral part of the community and really needs to be in located within a town building permanently. He noted the struggle it took to find a home for the Cable Committee. He also referred to feedback he supplied to the MBC on operating needs for the Cable Committee. Norcross said it would be a mistake to try and move cable but offered the idea of them sharing space. Ron Ricci said he sympathizes with the committee and agrees in all fairness if they were to move it has to be to a permanent better facility. Tim Clark said the functionality of town government would need to be assessed by Tim Bragan and Lorraine Leonard to see if any services could be fragmented out. Johnson agreed an appropriate permanent home for cable is necessary

but reminded the board that if the Pilot Project can not be successful assume all the capital and operating costs for the old library that the Town needed to look at leasing or selling the building. Warren responded he did not agree with Johnson on the future of the old library and Norcross said he did not want to plan based on the what ifs. Clark said it is important we stay true to any promises we make to the Cable Committee because in the past this has not always been the case. Pilot Project members Willie Wickman and Pat Jennings came forward to say relocation of the Town Hall to the old library would kill the Pilot and they are really seeing and generating a lot of enthusiasm for the project. Warren said if the Pilot Project becomes more profitable maybe revenue they generate could help with rental costs for the relocation of Town Hall.

ANNUAL TOWN REPORT

Marie Sobalvarro thanked Bill Johnson for drafting and asked members to provide any changes so it can be submitted.

The meeting was adjourned at 9:30pm.

Documents referenced:

FRUITLANDS MUSEUM CATERING OPERATING AGREEMENT

Draft agreement dated 12.14.2011 and letter from Groton Town Manager dated 12.10.2011

CHAPTER 138 (Liquor Control Act) – dated 1.17.2012

COST FOR RELOCATION OF TOWN HALL TO THE OLD LIBRARY

Estimate dated 1.17.2012

ANNUAL TOWN REPORT – draft dated 1.17.2012