

# Select Board Meeting Packet

## November 18, 2019

*This is the Select Board preliminary preparation information packet. The content of this package is subject to change between when it is released and the start of the Select Board meeting. Such changes will not be posted to the web site before the meeting. If you see an item or items in the preliminary preparation package that are important to you, please attend the meeting in person.*



## TOWN OF GROTON

173 Main Street  
Groton, Massachusetts 01450-1237  
Tel: (978) 448-1111  
Fax: (978) 448-1115

## Select Board

Alison S. Manugian, *Chair*  
Joshua A. Degen, *Vice Chair*  
John F. Reilly, *Clerk*  
John R. Giger, *Member*  
Rebecca H. Pine, *Member*

**Town Manager**  
Mark W. Haddad

**SELECT BOARD MEETING**  
**MONDAY, NOVEMBER 18, 2019**  
**AGENDA**  
**SELECT BOARD MEETING ROOM**  
**2<sup>nd</sup> FLOOR**  
**GROTON TOWN HALL**

6:30 P.M. Executive Session – Pursuant to M.G.L., c. 30A, §21(a), Clause 7 – “To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements” – Purpose – Review and Approve and Consider Release of Executive Session Minutes

7:00 P.M. Announcements and Review Agenda for the Public

7:05 P.M. Public Comment Period

I. 7:10 P.M. Town Manager's Report

1. Select Board's Agenda Schedule
2. Consider Appointing/Reappointing the Following Members to the Finance Committee:
  - David Manugian
  - Art Prest
  - Mary Linskey
3. Update from Town Manager on First Meeting of the Capital Planning Advisory Committee – Consider Amending the Charge of the Committee
4. Consider Adopting Revised Public Records Request Policy

II. 7:15 P.M. Public Hearing – Fiscal Year 2020 Tax Classification Hearing

### OTHER BUSINESS

#### ON-GOING ISSUES – For Review and Informational Purposes

- A. Senior Center Building Project – Final Accounting
- B. Prescott School Sprinkler System Project
- C. Water Department – Iron and Manganese Issue
- D. MS4 Permit
- E. Polystyrene Containers
- F. Green Communities Application and Implementation
- G. Charter Approval/Implementation of New Provisions
- H. Florence Roche Elementary School Feasibility Study
- I. Library Roof Repair
- J. Highway Garage Renovations
- K. Pepperell Landfill

### SELECT BOARD LIAISON REPORTS

III. Minutes: Regularly Scheduled Meeting of November 4, 2019  
Work Session Meeting of November 7, 2019

### ADJOURNMENT

*Votes may be taken at any time during the meeting.* The listing of topics that the Chair reasonably anticipates will be discussed at the meeting is not intended as a guarantee of the topics that will be discussed. Not all topics listed may in fact be discussed, and other topics not listed may also be brought up for discussion to the extent permitted by law.



**TOWN OF GROTON**  
173 Main Street  
Groton, Massachusetts 01450-1237  
Tel: (978) 448-1111  
Fax: (978) 448-1115

## Select Board

Alison S. Manugian, *Chair*  
Joshua A. Degen, *Vice Chair*  
John F. Reilly, *Clerk*  
John R. Giger, *Member*  
Rebecca H. Pine, *Member*

**Town Manager**  
Mark W. Haddad

**To:** *Select Board*

**From:** *Mark W. Haddad – Town Manager*

**Subject:** *Weekly Report*

**Date:** *November 18, 2019*

1. Please note that Monday's meeting will commence at 6:30 p.m. with an Executive Session for the Board to review, approve and consider the release of four Executive Session minutes from July 15, 2019, August 12, 2019, August 26, 2019, September 23, 2019 and October 7, 2019. Enclosed with this report (excluded from the publicly posted packet) are the minutes of that meeting, along with a list of all Executive Sessions and our recommendation on what to withhold and what to release to the public. In addition to the Town Manager's Report and an update on the on-going issues list, there is one item scheduled on Monday's Agenda. We have scheduled and advertised the Annual Tax Classification Public Hearing to set the Fiscal Year 2020 Tax Rate. Unfortunately, the Board of Assessors are not ready for the hearing. At the Meeting, I will be asking the Select Board to continue the public hearing to your December 9<sup>th</sup> meeting. Principal Assessor Jonathan Greeno will be in attendance at the meeting to discuss this in more detail with the Board.
2. When the Board conducted your annual reappointments in June, I purposely left the Finance Committee off the re-appointment schedule in anticipation of the Charter being approved, which contains a new appointment process for members of the Finance Committee. Since we are embarking on Budget Season and the Charter has not yet been approved, and there is a vacancy on the Committee, I am recommending that the Select Board consider making the appointments to the Finance Committee. To that end, I am recommending that David Manugian and Art Prest be re-appointed to three-year terms expiring on June 30, 2022 and that Mary Linskey be appointed to fill a vacancy on the Committee through June 30, 2020. Ms. Linskey has been interviewed by the Finance Committee and they are recommending her appointment. I have invited her to Monday's meeting to meet the Board. We can discuss all of this in more detail at Monday's meeting.
3. The Capital Planning Advisory Committee held their first meeting on November 12<sup>th</sup>. It was a very productive meeting. Steve Lane was elected Chair and they determined their work plan for the coming budget season. I would like to take some time at Monday's meeting going over their plans with the Select Board. In addition, I am recommending that the Board amend the Charge of the Committee to prohibit compensated Town officials from serving on the Committee. The Capital Planning Advisory Committee unanimously approved this change at their meeting. Enclosed with this report is the revised Charge for your review and consideration.
4. During your work session on November 7<sup>th</sup>, the Board reviewed the Response to Public Records Request Policy. You asked for feedback from the Town Clerk. I had previously sent the Board a copy of the revised policy with the Town Clerk's edits. Attached to this email is the final policy. I would ask the Board to consider adopting this revised policy at Monday's meeting.

MWH/rjb  
enclosures

## Dawn Dunbar

---

**From:** Town of Groton <mchiasson@townofgroton.org>  
**Sent:** Sunday, September 29, 2019 5:02 PM  
**To:** Select Board  
**Subject:** New Committee Interest Form Entry

**Name**

Mary Linskey

**Phone Number**

978-204-6679

**Email**

[mmlinskey@gmail.com](mailto:mmlinskey@gmail.com)

**What Committee Are You Interested In Joining?**

Finance Committee

**Please give us a brief explanation of why you are interested**

I moved to Groton, MA a little over a year ago. At that time I was serving on the Finance Committee of Community Rowing, Inc. in Newton, MA. However, the distance became an issue and I determined it would interfere with my ability to fulfill my role on the Committee to the best of my abilities. I believe in public service and would like to get involved here in town. I am eager to give back and what better way than to help serve the community in which I live. I am a CPA licensed in the State of Massachusetts with twenty

years of experience holding positions such as auditor, controller, and CFO. I would appreciate your consideration and the opportunity to learn more about the Committee.

Many thanks,

Mary M. Linskey

Sent from Town of Groton

## CAPITAL PLANNING ADVISORY COMMITTEE

Number of Members	Method of Selection	Length of Term	Remuneration
5	Appointed	3 Year(s)	None

**REVISED – 11-11-2019 AT 8:00 A.M.**

### **A. Establishment**

There shall be a Committee to study the requirements and needs for capital expenditures for all buildings, playing fields and courts, recreation structures, large equipment, vehicles, and municipal buildings in the Town of Groton. The Committee shall be known as the "Capital Planning Advisory Committee" and shall advise the Town Manager, Select Board and Finance Committee on the results of its work. Said Committee will also provide advice to the Town Manager in planning for the management of building projects as charged by the Town pursuant to votes of Town Meeting and Massachusetts General Laws.

### **B. Appointment**

The Select Board shall appoint the Capital Planning Advisory Committee consisting of five (5) regular voting members, all serving without compensation. The Select Board shall endeavor to appoint individuals who, by reason of their current or prior background have skills in the areas of capital planning, finance, construction or other relevant experience. All members shall be residents of the Town of Groton *and shall not receive compensation, in any manner, from the Town of Groton. They shall be* appointed for a term of three years; provided however, that the initial members appointed shall serve for terms of one, two, or three years, and the Select Board shall arrange the terms so that the terms of approximately 1/3 of the Committees' members shall expire each year.

### **C. Committee Charge**

The Capital Planning Advisory Committee shall have continuing responsibility in advising the Town Manager in developing the Annual Five (5) Year Capital Plan, including the capital equipment replacement plan, developing a long-range building plan and other maintenance projects for the Town. In addition, they shall advise in the development and annual updating of a long-range building maintenance capital spending plan for all municipal buildings. Working with the Town Manager, Select Board, Finance Committee and other Town committees and boards which propose building and renovation projects, the Capital Planning Advisory Committee shall advise on establishment of general criteria for significant Capital expenditures, including equipment and buildings, and offer recommendations on developing guidelines for communication regarding these projects between and among interested committees and the public. The Capital Planning Advisory Committee shall advise the Town Manger in overseeing the planning and design for construction, reconstruction, major alteration, renovation, enlargement, major maintenance, demolition, and removal of all Town buildings and recreation structures and playing fields and courts, including any significant installation, renovation or upgrade of service equipment and major systems.

More specifically the Committee shall:

1. In consultation with the Town Manager and Department Heads, inventory assets, assess ongoing space needs, and conduct periodic review and audit of the physical condition of all municipal buildings, service equipment, recreational structures, fields, and courts, and major technology and communication systems.
2. Advise the Town Manager in the development of the Annual Five (5) Year Capital Budget, including the sequencing of significant equipment replacement, building construction projects, and/or maintenance project(s) to be undertaken by the Town in the ensuing five (5) fiscal years.
3. After reviewing the rolling 5-year Capital Management Plan, and prior to November 15 of each calendar year, prepare and present to the Town Manager, Select Board and Finance Committee, a recommendation of major construction and/or maintenance project(s) to be undertaken by the Town in the ensuing fiscal year.
4. Seek comments from and coordinate activities with appropriate Town officials, including but not limited to the Town Manager, Director of Public Works, Police Chief, Fire Chief, Building Commissioner and other Town boards and committees, including but not limited to the Board of Library Commissioners, Planning Board, Zoning Board of Appeals, Conservation Commission, Park Commission, Historical Commission, Board of Health, Finance Committee, Council on Aging, Water Commission, Sewer Commission, Cable Advisory Committee and Community Preservation Committee.
5. Review and report the financial requirements of all projects under the control of the Town.
6. Create and publish a report/memo at the close out of each Capital project summarizing the process and any deviations from the plan. A comparison of projected to actual spending must be part of this report.

#### **D. Conduct**

All meetings are to be held in a public location, properly posted and open to the public in accordance with the Massachusetts Open Meeting Law. Minutes of each meeting shall be prepared and approved by the Committee within thirty (30) days of any meeting and distributed to the Town Clerk

#### **E. Membership**

**Committee Members:** The Committee shall consist of five (5) voting members made up of five (5) registered voters of the Town of Groton.

#### **F. Review Charge**

The Committee shall review the Charge periodically and make proposed recommendations to the Select Board that they believe are the in the best interest of the purpose of the Committee.

---

#### **Appointing Authority**

Select Board

#### **Legal Authority**

Local:           Appointed under authority of Section 3-2 of the Town of Groton Charter.





# SELECT BOARD POLICY

---

Policy Category:	Employee
Policy Number:	EMP – 2019 – 9
Latest Revision Date:	November 18, 2019

**POLICY NAME:      RESPONSE TO PUBLIC RECORDS REQUEST POLICY**

## **I.    INTRODUCTION**

As a public body, the Town is obligated to adhere to Mass General Law Chapter 66 Public Records.

Public records include paper documents and electronic records in the possession of any Town board, committee, commission, official or employee at the time of the request. Under Chapter 66, records are to be retained for periods defined by the Supervisor of Public Records. Unless specifically exempted, a record in the possession of the Town is presumed to be a record available for inspection by the public.

The Public Records Law defines the responsibilities of the Town when receiving and responding to requests. For example, the Town must respond to a records request within 10 business days. That response may be the record which was requested, a request for clarification, a denial of the request or an estimate (if over \$10) to produce the records. The Town is obligated to redact information which is exempted by the Public Records Law or other statutes. The Town may charge for labor involved with searching, reproducing, redacting and re-filing records "at the pro-rated hourly rate of the lowest paid person capable of performing the task". The Town may also charge for electronic and paper copies according to a schedule in the Law. The Town is not obligated to create a record nor to respond to prospective requests.

The Law also recommends, but does not require, that records requests be made in writing to eliminate confusion with the request and in order to preserve the requestor's right of appeal. However, verbal requests must be honored.

A Guide to the Massachusetts Public Records Law is available through the Secretary of Commonwealth's office and at [www.sec.state.ma.us](http://www.sec.state.ma.us). The Town's guidance for obtaining a public record is available at <https://www.grotonma.gov/government/departments/town-clerk/public-records/>



# SELECT BOARD POLICY

## II. POLICY

It is the policy of the Town to respond to public records requests in accordance with Chapter 66. The Town will strive to respond in a timely and efficient manner to requests, but makes no policy to respond other than as described in Chapter 66. The Town will exercise its rights under Chapter 66, including recovering its costs to produce records.

## III. PROCEDURES AND CONTROLS

Records custodians are obligated to respond to public records requests as required by Chapter 66. Any member of the Town responsible for any public record is a records custodian with obligations under Chapter 66. A records custodian is responsible for:

- Maintaining records under their responsibility in accordance with the public records law and retention schedules.
- Responding to public records requests as required under the public records law
- Ask for help from the Municipal Records Access Officer as needed

Most public records requests are for routine records and are typically made directly to the custodial department. Any town member receiving a request must act upon it. If the receiver is not the records custodian, he or she is obligated to direct this request to the actual custodian, or to the Municipal Records Access Officer. The Town Clerk is assumed to be the Municipal Records Access Officer. The RAO is responsible for:

- Public records law training to records custodians
- Provide advice to records custodians as needed or requested
- Receive and act on records requests addressed to the RAO or when the requestor doesn't know to whom to make the request
- Coordinate responses to complex public records requests
- Respond to public records requests as appropriate

Public records requests may be submitted to the Municipal Records Access Officer. The Officer shall keep a record of such requests, direct requests to records custodians as required and follow up to ensure appropriate response.

It is requested that the Officer be notified of requests submitted directly to other records custodians. The Clerk shall record these requests and assist custodians with Public Records Law advice as needed.

Records custodians are obligated to respond to public records requests.

**LEGAL NOTICE  
TOWN OF GROTON  
Tax Classification Hearing**

The Select Board has scheduled a public hearing with the Board of Assessors, within a regular Select Board meeting, on Monday, November 18, 2019, at 7:15 p.m. at the Groton Town Hall, 173 Main Street, 2<sup>nd</sup> Floor Meeting Room. The purpose of this hearing is to receive comments on the issue of adopting a tax levy percentage for Fiscal Year 2020. All interested parties are encouraged to attend.

**SELECT BOARD:**

Alison S. Manugian, Chair  
Joshua A. Degen, Vice Chair  
John F. Reilly, Clerk  
John R. Giger, Member  
Rebecca H. Pine, Member

Groton Herald  
11/1/19  
11/8/19

**SELECT BOARD MEETING MINUTES  
MONDAY, NOVEMBER 4, 2019  
UN-APPROVED**

**SB Members Present:** Alison S. Manugian, Chair; Joshua A. Degen, Vice Chair; John F. Reilly, Clerk; John R. Giger, Member; Rebecca H. Pine, 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.

**ANNOUNCEMENTS**

Mr. Haddad reminded the Board that they were meeting on Thursday at 6pm at the Center for a workshop to continue reviewing their policies.

Mr. Giger said that they would be celebrating Veterans Day at the Fire Station on Monday, November 11th at 11am.

**PUBLIC COMMENT PERIOD**

Ms. Gail Chalmers thanked everyone for attending the dedication of the Center on Saturday. She thanked Kathy Shelp and Mark Haddad for all their dedication and hard work on the Center. Mr. Haddad said that it was a great event and a wonderful building.

Ms. Pine said that there was something in the correspondence about DCR expanding the legacy program. Ms. Manugian said she had no real understanding about the program. Mr. Haddad said he would reach out to Mr. Delaney and Mr. Gualco and for additional information.

Ms. Pine said that she ran into one of the new members of the Capital Planning Advisory Committee who explained that he was not able to attend the first meeting and asked why they were meeting if one member could not be present. Mr. Haddad said that the member who could not attend was going to call into the meeting as was allowed by the OML. Ms. Pine said that it was great he could call in but thought all 5 members should be present. Ms. Manugian said that one of the members was an employee of the Country Club and asked if there had been any questions relative to the conflict of interest. Mr. Degen said that his employment had been mentioned but there were no specific questions relative to that. There was a discussion about Mr. Koski needing to recuse himself from voting on anything relative to the Country Club. Mr. Haddad said that he would bring this up at the first meeting. He said that he might call him instead about the potential conflict. Mr. Giger suggested having him call the ethics commission. Ms. Manugian asked Mr. Haddad to contact Town Counsel about this also.

Ms. Pine said she spoke with Jamie Eldridge at an event this past weekend and he mentioned that there was some funding available for clean water to deal with the manganese issue.

**TOWN MANAGER'S REPORT**

1. Mr. Haddad said that he revised his memo relative to the budget guidance and included a section that spoke about the major initiative section. He said he would be holding his budget kick-off meeting with the department heads the next day. Mr. Giger said that he wanted to make sure that the word "sharing" of any deficit meant an even share with the school district.

**OTHER BUSINESS**

Ms. Pine said that the discussion on domestic violence that was supposed to occur was to focus on the effort or resources available to do more to help this issue adding she would like to have this discussed at an upcoming meeting.

**ON-GOING ISSUES**

A: Mr. Haddad said that he was working on the final accounting for the Senior Center project and would get that to the Board as soon as the final bills had come in. Mr. Haddad provided an explanation of donations received as requested by Mr. Degen. Mr. Degen thanked everyone who contributed toward this project.

B: Mr. Haddad said that the CPC would be discussing the Prescott School Sprinkler System project request at their meeting this evening as part of their new plan year.

F: Mr. Haddad said that as part of their application process for Green Community Designation, they would be listing projects they wanted to apply for. Mr. Haddad said he would be setting up a meeting in the next couple of weeks to discuss this.

G: Mr. Haddad said that they all approached Representative Harrington on Saturday. He said that there was confusion within the House with difference between a Charter Committee, a Charter Commission and the Authority of the Select Board. Mr. Haddad said that the Board voted on February 12, 2018 to add an article to the warrant to change from Selectmen to Select Board. He said that they advertised and held the public hearing on the warrant and ultimately Town Meeting approved the change. He said that the Board had the authority to add this change to the Charter and that it didn't need to go back to the Charter Committee.

H: Ms. Manugian said that the Florence Roche Building Committee was looking at high level possible combinations of renovate/build/locations, etc. She said that Town owned properties were being discussed. She said that they were discussing Prescott School which had its property complications. The Board did not feel like this should be considered. Ms. Manugian said that the Country Club was being looked at. She said that carving out a piece would render the Country Club non-functional. Ms. Pine asked what acreage they were looking at. Ms. Manugian and Mr. Haddad were unsure. Mr. Degen said he didn't think they should mess with success at this point adding the Country Club was finally holding their own. Mr. Degen said that there was land set aside at the high school for an elementary school and thought that should be looked at as the number one site. Ms. Manugian said she was concerned about the lack of water up there. Ms. Pine said she didn't think the Country Club was a viable option. Mr. Degen said that they had 11 acres reserved on the back side of Surrenden Farm which they should look at. Ms. Pine said she thought that parcel was for the CPC to decide its use. Mr. Giger asked if there had been a discussion about getting the school on school owned land and off Town land.

I: Mr. Haddad said that the Library roof repair was going well adding it might be completed ahead of schedule.

J: Mr. Haddad said that the Highway Garage was moving along well. He said he was bringing the members of the Building Committee by to tour the facility.

#### **MINUTES**

*Mr. Degen moved to approve the meeting minutes of October 28, 2019 as presented. Ms. Pine seconded the motion. The motion carried unanimously.*

Ms. Manugian adjourned the meeting at 7:42pm.

Approved: \_\_\_\_\_  
John Reilly, Clerk

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

Date Approved:

## **Groton Select Board**

### Workshop Meeting Minutes

Date/Time: Thursday, November 7, 2019 at 6 pm

Location: Senior Center, 174 West Main St., Groton

Select Board members in attendance: Alison S. Manugian, Chair, John F. Reilly, Clerk, John R. Giger, Member; Rebecca H. Pine, Member

Also present: Mark Haddad (Town Manager), Fran Stanley, Judy Anderson

Handouts: Each draft policy displayed on overhead monitor

---

Agenda: Discuss and Review Select Board Policies - No Public Comment will be taken

Ms. Manugian called the meeting to order at 6 pm.

Mr. Haddad spoke with Rep. Sheila Harrington and Rep. Theodore Speliotis and he hopes that he was persuasive in terms of advocating for a speedier legislative path. Rep. Harrington called Mr. Haddad back and reported that House of Representatives is going to vote the State Senate's version of Groton's Town Charter with no further changes. The expectation is that the House will soon pass the Charter and then Governor Baker will be asked to sign the bill soon.

## **Drug and Alcohol Policy**

Ms. Manugian asked why the policy is only written to apply to commercial drivers. Select Board members discussed the desire to have the wording cover employees who are driving vehicles 'for use in the workplace and/or during working hours'. Mr. Giger sees lots of opportunity for editing that cleans up the layout of the Alcohol and Drug Policy. Mr. Giger gave the example of the description of cocaine use and this passage of the document seems to shift from paragraph form to listed points. Select Board members agreed that they want to meet with Town Counsel about this policy rather than continuing to edit ad hoc now. Mr. Haddad said that he would clean up the formatting and bring it back to the Board.

## **Exit Interview**

Mr. Haddad said that the Board does not need to edit the policy but per Town Counsel advice there is a line added at the end about permission being given by the outgoing employee to share information with the Select Board. Mr. Haddad asked the Board to consider approving this policy.

*Mr. Reilly moved to accept the Exit Interview policy known as HR – 2019 - 6 as presented to the Select Board. Ms. Manugian seconded and the motion carried 4:0 (Mr. Degen absent).*

## **Foster Child Definition**

Select Board members reviewed the definition of foster child provided by Town Counsel. The group was unclear how to put this definition into the policy as the Town Counsel did not provide guidance on this question. Board agreed to defer action on Parental Leave policy until the Select Board meets with Town Counsel.

## **Holiday Policy**

Select Board discussed the fact that holiday time is pro-rated for less than full time employees. Select Board revised policy to make explicit that holiday time applies to benefited employees only. Mr. Haddad asked the Board to vote on the policy.

*Ms. Manugian moved to accept the Holiday policy as revised. Mr. Giger seconded and the motion carried 4:0 (Mr. Degen absent).*

## **Details**

Select Board discussed certain provisions such as the ability of police working outside details can leave details if there is a public safety emergency in progress such as a bank robbery. Terms like superannuation are used because these language is also used by the retirement board as its nomenclature.

## **Access to Town Counsel**

Mr. Haddad said that he took his memorandum on the topic and put it into this policy format for the Select Board's review. Wording was edited somewhat to allow for verbal requests to be made to the Town Manager. Overall, it is important for the Town Manager to be able to track use of Town Counsel services.

Ms. Pine asks how this policy interrelates with the policy on complaints about the Town Manager. Specifically, how would the Chair of the Select Board be notified and kept apprised for use of Town Counsel in relation to a complaint about the Town Manager. She wondered if the Board should hold off on this policy until the complaint policy is ironed out first. Mr. Haddad said that he would bring this policy back to the Board at a future time.

## **Designer Selection Guidelines**

Mr. Haddad stated that this policy was put into place in 2010. This policy is for major construction projects under G.L. c. 7, § 38A1/2. Ms. Pine stated that this policy appears to give a lot power and authority to the Town Manager. Mr. Haddad noted that the Town Manager is the Chief Procurement Officer for the Town. Mr. Haddad said that he can delegate some of his 30B authority for downstream projects such as regular procurement for the Department of Public Works.

Ms. Manugian said that following the experience of the repair of Fitch's Bridge, she would like to have a specific process enumerated. Mr. Haddad said that Massachusetts General Law covers that and has specific requirements. Mr. Haddad said that after the experience of contracting with Joshua Degen to repair Fitch's Bridge, then as part of the compliance agreement he sent three employees to procurement training. There was an emergency repair and the amount went over \$10,000 limit. This excess mount was problematic at Fitch's Bridge. Now, if a notification comes in that the amount of the repair will exceed \$10,000, then the Town has agreed to stop work and notify the Commonwealth. Mr. Giger noted that from his review of that incident, the only reason that the Town was out of compliance for its actions was due to the fact that the Town did not inform the state when the \$10,000 limit was passed.

Ms. Manugian asked about having employees or board members bidding for contract work from the Town. Mr. Haddad gave the example of a Conservation Commission member wanting to bid on a Conservation Commission contract. In that case, the procurement decision was removed from the Conservation Commission and Mr. Haddad made the decision himself. The Conservation Commission member recused himself from the decision as well and that was how a conflict of interest was avoided.

Mr. Reilly commented that the issue of conflicts of interest is commonly raised and is going to come up in small towns. He said that often a conflict of interest disclosure will cure a potential conflict.

### **Electronic Communications and Computer Usage Policy**

Mr. Giger said that in Section 4.6.9, the prohibition is limited to 'during work hours' and he recommends this phrase be removed. Mr. Giger wants this policy to all users of the system – volunteers, board members, contractors, consultants, etc. – not just employees. Mr. Haddad added a line about all users to address this point. Mr. Giger recommends that the list of user types be removed. Mr. Haddad added a sentence stating "use of the Town's systems shall constitute acceptance of the written policy" or words to that effect.

Mr. Giger asked how this policy would be enforced and the Board discussed that there may be a notice given to new appointed volunteers when they are sworn in in the Town Clerk's office.

Ms. Pine said that under Privacy and Town Monitoring she would like clarity on who can wield that authority. Mr. Haddad suggested defining Town as the Town Manager or his designee would speak to Ms. Pine's point for this policy.

Ms. Pine asked if we need a social media policy. Several Board members agreed that a social media policy would be good to have. Mr. Haddad said that the IT Director and the Human Resources Director pulled together the proposed social media policy that the Select Board considered but did not adopt a while ago. Mr. Haddad will ask Town



Counsel if he has a recommended Social Media Policy template before Town Counsel is asked to review the Groton proposed policy.

### **Grant Preparation Policy**

Mr. Haddad incorporated Mr. Giger's recommended change and the other Board members present agreed with that edit.

### **Political Activity by Employees Policy**

Mr. Giger suggests including a prohibition of use of Town systems such as copy machines and printers for political activities.

### **Internal Posting of Employment Vacancies Policies**

Ms. Pine asked how this Select Board policy fits with a policy that Mr. Haddad wrote as a Town Manager's policy for such posting. Mr. Haddad said that he is the appointment authority such as with employee appointments. It is within his authority. If the Select Board does not like the Town Manager's appointment, then it can reject the appointment and not ratify it. Mr. Haddad said that he always provides an explanation for the process he has followed when he presents an appointment. Mr. Haddad said that these activities are within the Town Manager's authority whoever the Town Manager may be, and he does not recommend that the Select Board micro manage those activities.

Ms. Manugian asked to stay on policies as a topic versus the Select Board's prior conversations about appointment processes. Mr. Haddad said that he will find the earlier Select Board minutes that addressed the earlier conversation. Ms. Pine stated that we may want to collect input from the Personnel Board as well. Mr. Haddad stated that he reviewed the procedures with the Personnel Board before bringing that forward to the Select Board. Mr. Haddad asked if there a problem with how I recruit employees for the Town. Ms. Manugian says that she does not know and deferred the matter to another time.

Mr. Giger stated that this policy is the Select Board's policy with the change and that other policies cannot conflict with the Select Board's policy.

### **Public Documents**

Select Board made small changes to the copying charges assessed for copies of public documents.

Mr. Giger commented that he did not want the Town's policies to conflict with the allowable charges with the Public Records charges. Mr. Haddad said that the policy is working as it is now. Either the Select Board or the Charter Review named the Town Manager rather than the Town Clerk as the Custodian of Records. Mr. Giger suggests

that the Town Clerk be consulted. Mr. Giger said one is unable to learn the length of time for fulfilling a public records request if the requests are not tracked.

### **Records Repository**

Select Board asked questions in order to better understand the current operation of the Town with respect to care, custody and access to records.

### **Recycling Product Procurement Policy**

One typographical error was noted and corrected.

### **Town owned Vehicle Use and Safety Policy**

Mr. Giger noted that three Town owned vehicles presently do not show the Town seal. Police Chief and Fire Chief do not show the seal. If there are other exceptions, then the Select Board wants to know why the exception is wanted and who is approving the exception. Mr. Haddad said that he will inquire and he will bring the matter back to the Board if there is a need for an exception.

Mr. Haddad stated that all of the policies are finalized but for policy number two are ready for the Select Board's vote.

*Ms. Manugian moved to have the Select Board accept the above referenced policies as finalized. Ms. Pine seconded and the motion carried 4:0 (Mr. Degen).*

### **Adhere to Votes of the Board Policy**

Ms. Manugian suggested edits to streamline this policy.

### **Attendance at Committee Meetings Policy**

Ms. Pine suggested 'expectation' for attendance is better wording and other Board members agreed.

### **Committee Vacancy Appointment List**

Ms. Pine asked for the process regarding not re-appointing a particular committee member. Mr. Haddad stated that the proposed reappointment list is circulated to Select Board members and that Select Board members should notify the Town Manager if a member does not want to re-appoint committee member. For example, a Select Board member has the power to not vote to appoint committee member if he or she does not approve of the way that this committee member has been voting.

## **Email Response Policy**

New paragraph C was added to reflect Mr. Giger's suggested wording that all email messages addressed to the Select Board will be forwarded to all members of the Select Board promptly and that responses from the Town Manager to one of these messages should begin "I am responding to your messages on behalf of the Select Board."

Ms. Pine asked about how to respond to email messages that are only addressed to a single Select Board member and that this policy appears to restrict her ability to respond. Some discussion ensued.

## **Executive Session Minutes Review Policy**

Ms. Pine wanted the phrase 'in compliance with state law' added.

## **Fee Waiver Policy**

Ms. Pine wanted the phrase "and occasionally reduced in accordance with the following procedure" added.

Ms. Manugian wanted the wording to read 'reduce, defer or waive' for fees.

## **Filling an Elected Official Vacancy**

Ms. Pine asked about the timeline and Mr. Haddad responded that the policy follows the requirements of Massachusetts General Law 41, Section 109.

Regarding financial policies, Ms. Manugian said that she pulled out five of these policies that will not be reviewed this evening and instead asked the Board to move on to its review of the Liaison Policy.

## **Liaison Policy**

Ms. Manugian suggested that a liaison policy is not needed by the Select Board. Mr. Haddad found that stance acceptable as well. Ms. Pine disagreed and thought that rotated liaisons are healthy for the Town to avoid entrenched representatives. Ms. Manugian said that often there is no liaising going on. Ms. Pine said that an active liaison can be helpful. Ms. Manugian agreed that the descriptor 'active' was key and that she would view a compression of the liaison positions down to perhaps five positions as progress.

Ms. Manugian asked if some of these designations can be removed such as compressing Fire and EMS into one role. Mr. Reilly suggested removing Town Departments. Mr. Giger commented that the question should be what is it that we should be accomplishing with these assignments. Ms. Manugian wants a shorter list so

that the ones remaining could have robust and intentional involvement. Mr. Haddad suggested that liaison to elected town boards would be helpful.

Ms. Pine said that she thinks communication was good. Ms. Manugian asked if the Select Board wanted to table the policy for now and wait until Mr. Degen can participate in the discussion too.

### **Holiday Policy**

Mr. Giger said that we talk about this in two separate policies. The phrase 'religious holidays' covers nearly every day of the year now and this may be very different to the understanding of the scope of religious holidays at the time that this policy was originally adopted.

Ms. Manugian said that she thinks that religious holidays relate to members of the public rather than the religious affiliations of Select Board members. Ms. Manugian asked if the Select Board should we codify a list. Ms. Manugian suggested that we reach out to the Groton Interfaith Council for their input on the matter.

### **Memorial Parks and Commons Policy**

Ms. Pine asked for difference between parks and commons for naming. Fields do not appear to be a part of this policy. Ms. Pine noted that Fireman's Common is also memorializing Charles R. Gordon. Board members agreed to table this policy for now and Ms. Pine will work on this policy as she is the liaison to the Park Commission.

### **Advisory Committees to Provide Annual Reports Policy**

Ms. Pine said that she would like to know which committees are considered advisory committees. The Select Board discussed the Personnel Board as an example. This particular board has met infrequently and if that board were called upon to meet with the Select Board, then its members may not have much to report. Mr. Haddad will bring this matter back to the Board at a later time.

### **Remote Participation Policy**

This policy tracks the Attorney General's guidance on how to implement state law and associated regulations about the same.

*Ms. Manugian moved to approve policies numbers 1, 2, 3, 4, 5, 6 and 7. Mr. Reilly seconded and the motion carried 4:0 (Mr. Degen absent)*

Mr. Haddad offered his opinion that eight policies are too many to review in a single Select Board Meeting with Town Counsel. Mr. Haddad suggests that the Select Board go policy by policy. And, for example, the edits to the financial policies alone as suggested by Ms. Manugian may take a full hour to review.

Ms. Pine stated that she will miss the November 17, 2019 meeting and that it would be okay with her if financial policies were reviewed then because she does not have much to add on those matters. Town Counsel is available on November 25<sup>th</sup> and December 9<sup>th</sup>. Ms. Manugian and Mr. Haddad will meet to try to figure out how to organize the reviews with Town Counsel.

Ms. Manugian adjourned the meeting at 8:55 pm.

Approved: \_\_\_\_\_  
John Reilly, Clerk                      respectfully submitted: Fran Stanley

Date Approved: TBD