

Select Board Meeting Packet

December 16, 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, DECEMBER 16, 2019
AGENDA
SELECT BOARD MEETING ROOM
2nd FLOOR
GROTON TOWN HALL**

6:00 P.M. **Work Session – Continue Review of Board Policies – No Public Comment Will Be Taken During the Work Session**

Regular Meeting Commences at Conclusion of Workshop

Announcements and Review Agenda for the Public

Public Comment Period

I. **Town Manager's Report**

- 1. Select Board's Agenda Schedule**
- 2. Discussion with Town Clerk on Polling Locations**
- 3. Review and Approve Proposed Goals of the Select Board for January 1, 2020 through June 30, 2020.**
- 4. Discussion – Determine Whether to Create Separate Goals for the Town Manager**
- 5. Continue Approval of Annual License**
- 6. FY 2021 Budget Update**

II. **7:15 P.M.** **Motion to Reconsider Appointment to the Community Preservation Committee – Interview Carolyn Perkins and Marlena Gilbert to Fill Vacancy on Committee Through June 30, 2021**

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 – Manganese Issue**
- D. MS4 Permit**
- E. Polystyrene Containers**
- F. Green Communities Application and Implementation**
- G. Florence Roche Elementary School Feasibility Study**
- H. Library Roof Repair**
- I. Highway Garage Renovations**
- J. Pepperell Landfill**

SELECT BOARD LIAISON REPORTS

III. **Minutes:** **Regularly Scheduled Meeting of December 9, 2019**

ADJOURNMENT

Notes 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: *December 16, 2019*

1. Please note that Monday's meeting will commence at 6:00 p.m. with a work shop for the Board to continue its review and approval of the Board's policies. Attached to this report is a memorandum from me providing the Board with a list of the policies left to review, along with the most recent drafts of the policies and my recommendations relative to the policies. Town Counsel will be in attendance at the meeting to assist in this process. The regular meeting will commence at the conclusion of the Work Shop. 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. Select Board Member Degen has requested that the Board reconsider the vote to appoint Carolyn Perkins to the Community Preservation Committee. Since he was on the prevailing side, he can make a motion for reconsideration. For the Board to reconsider, Mr. Degen's motion for reconsideration must be seconded and a majority of the Board must vote to approve the reconsideration. We have invited Carolyn Perkins, Marlena Gilbert and the current members of the Community Preservation Committee to Monday's meeting for this discussion.
2. As you know, voting in Precinct 1 was moved to Town Hall during the Senior Center Construction Project. Now that the Center is open, the Board needs to notify the Town Clerk if it is your intention to return voting in Precinct 1 to the new Center. The Town Clerk and I have been talking about polling locations and some complaints we have received from our voters. We are developing a proposal that would have Precinct 1 voting at the Center in West Groton, Precinct 2 voting at the Country Club and Precinct 3 voting at Town Hall. I had originally planned on having this discussion with the Town Clerk and the Select Board at your December 23rd meeting, but since you are not meeting that night, I decided to move it up to this week's meeting to give the Board and the Town Clerk plenty of time to debate and decide on making this change. Unfortunately, the Town Clerk is unavailable to attend Monday's meeting. I have kept this on the Agenda to at least begin the discussion and make the Board aware of our thinking. I would like to get an initial reaction from the Board. We will schedule this for further discussion in January with the Town Clerk.
3. I have attempted to draft a document outlining the Goals you established at your December 9th Work Shop. Enclosed with this report for your review and approval is that draft. I would ask the Board to consider approving the Goals at Monday's meeting.

**Select Board
Weekly Report
December 16, 2019
page two**

4. In addition to approving the Board's goals, the Select Board needs to decide whether or not you want to establish separate goals for the Town Manager. Last year, the Board did not establish separate goals, but instead had the Town Manager work on the Select Board's goals. I would recommend we do the same thing with the goals you established on December 9th. We can discuss this further at Monday's meeting.
5. Enclosed with this report are additional licenses that need to be approved by the Board. I would respectfully request that the Board consider approving these licenses at Monday's meeting.
6. As stated in my report last week, it is my intention to include an FY 2021 Budget Update during my weekly report as we go through the process of developing next year's budget. I would like to take a couple of moments at Monday's meeting to update the Board on the status of the budget. We can discuss this in more detail at Monday's meeting.

MWH/rjb
enclosures



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: *Work Shop – Policy Review – Revised for December 16th Workshop*

Date: *December 12, 2019*

The purpose of this memorandum is to provide the Select Board with a summary of the remaining policies left for the Board to review and adopt. The following is a list of the remaining policies and my proposed recommendations/revisions to allow the Board to complete its overall policy review.

1. **Town Manager Review Policy** – I had previously recommended that the Board amend this policy to have Labor Counsel compile the summary review. The Board expressed concerns with the overall policy and wanted further discussion with Town Counsel. Attached for your review is the most recent draft of the Policy.
2. **Anti-Harassment Policy** – With the permission of Select Board Chair Manugian, Select Board Member Pine discussed the Anti-Harassment Policy with Town Counsel. Based on her discussion, Town Counsel has divided the original draft Anti-Harassment Policy into two separate policies. The first policy will be entitled “Standards of Conduct Policy”. A copy of this draft policy is attached for your review. Town Counsel has informed me that Select Board Member Pine has approved this draft. The second policy will be entitled “Anti-Discrimination, Equal Employment Opportunity Policy”. It is also attached for your review and consideration.
3. **Investigations Policy** – Town Counsel has revised this policy and made various amendments. It is ready for Board adoption. Attached for your review and adoption is the final policy.
4. **Liaison Policy** – Based on John Giger’s proposal, I have amended this policy to state that all elected Boards, Committees and Commissions shall have liaisons. Attached for review and consideration is the proposed draft policy.

**Select Board
Work Shop – Policy Review
December 12, 2019
page two**

5. **Meetings on Holiday Policy** – The Board is supposed to reach out to the Interfaith Council to determine if this policy needs to be amended. We can discuss this further at the work shop. Attached is the latest draft of the Policy.
6. **Meetings with Advisory Committees Policy** – The Board had requested a list of the Advisory Committees of the Board. I provided the Board with a list of the Committees, along with their annual report contained in the Town's annual report. I am recommending that the Select Board eliminate this policy.
7. **Town Manager Appointment Process** – We had previously had a very lengthy discussion on the Town Manager's Appointment Process on August 28, 2017. (I had provided copies of these minutes to the Board under separate cover). At the end of the meeting, it was moved and approved that I work with the Personnel Board to draft a policy. I did that and we have been operating under this policy since that time. I believe this matter has been addressed fully and no further action is required by the Board.
8. **Social Media Policy** – Based on feedback received from Board members at your November 25th workshop, Town Counsel provided me with a copy of Acton's Social Media Policy. It is an excellent policy that is direct and covers all the issues that need to be addressed. I have tailored the Policy to the Town of Groton and would recommend that the Select Board adopt this revised Social Media Policy. It is attached for your review and consideration.
9. **Memorial Parks and Common Policy** – Select Board Member Pine has volunteered to work on this Policy and bring it back to the Select Board for consideration at a future meeting. Attached is the latest draft of this policy.
10. **Financial Policies** – At your December 9th meeting, the Board discussed adopting this Policy as approved by the Finance Committee and the Finance Team. Attached for your review and adoption is the policy.
11. **Select Board Operational Procedures** – As I mentioned at your December 9th meeting, since items contained in the current policy are contained in other policies, I am recommending that the Board eliminate this policy.

I hope you find this information helpful. I look forward to discussing these issues with the Select Board at your work shop on December 16, 2019. Please feel free to contact me with any additional questions or concerns with regard to this matter.

MWH/rjb
enclosures



SELECT BOARD POLICY

| | |
|-----------------------|-------------------|
| Policy Category: | Board |
| Policy Number: | BOA – 2019 – 16 |
| Latest Revision Date: | November 25, 2019 |

POLICY NAME: **TOWN MANAGER REVIEW POLICY**

Preamble: On an annual basis, the Select Board will endeavor to review the prior year's performance of the Town Manager. The Town Manager, as the Chief Administrative Officer of the Town, is responsible to the Select Board for the proper administration of all town affairs placed in his/her charge by the Town Charter. It is therefore vital to the continuity of, and the community's confidence in, Town government, that the Town Manager's performance be publicly reviewed, and that, as part of that review, areas of strength and areas that need improvement can be identified by the Select Board.

ROLE OF THE CHAIR:

1. The Chair of the Select Board is responsible for the administration of this policy and procedure.
2. The Chair shall begin the annual review process by placing on the Board's agenda an item to discuss the commencement of the Town Manager's annual performance review.
3. The Chair will request that the Town Manager prepare his or her self-evaluation which will be disseminated to each Board member with the instruction to review the evaluation and send written comments regarding the Town Manager's performance to the Human Resources Director.
4. The Human Resources Director shall be responsible for receiving each Board member's written comments. The Human Resources Director shall deliver the comments to Labor Counsel who will take the draft evaluations and the individual Board members' comments and prepare a summary evaluation and ensure the summary accurately reflects the comments of each Board member.
5. The summary evaluation shall be presented to the full Board by Labor Counsel at a public meeting for discussion and approval.
6. Any questions relative to the performance review process should be directed to the Chair.



SELECT BOARD POLICY

REVIEW PROCEDURES:

1. The Town Manager's performance review shall commence in January and will be prepared on the form attached hereto, entitled "Town of Groton Annual Performance Summary Evaluation – TOWN MANAGER".
2. In January, following discussion on the subject at a public meeting, the Chair shall request that the Town Manager prepare a self-evaluation.
3. The time period in which the Town Manager shall complete the self-evaluation shall be thirty (30) calendar days. The time period may be extended by mutual agreement of the Board and the Town Manager.
4. Following the Town Manager's completion of the initial draft evaluation and following the forwarding of the draft evaluation to the Board members by the Town Manager, the Human Resources Director shall disseminate a clean performance evaluation document to each Board member. Each member shall provide written comments on their blank evaluation and return it back to the Human Resources Director. Individual Board members are required to meet with the Town Manager to review their comments prior to submission. The timeline for returning the evaluations to the Director shall be twenty-one (21) calendar days following delivery of the clean performance evaluations to the Board members. The timeline may be extended by a subsequent majority vote of the Board.
5. All Board discussions and deliberations as to the evaluation procedure and completion of the evaluation document are to be held in public session. Board members are not to share their comments with other members of the Board outside of a properly posted public meeting of the Board.
6. Following receipt of each Board member's individual evaluation, including one completed by the Chair, the Human Resources Director shall deliver the comments to Labor Counsel who shall prepare an evaluation that will include a summary of each section of the performance evaluation of the Town Manager using the form: Town of Groton Annual Performance Summary Evaluation – TOWN MANAGER. The ratings of each Board member shall be reflected in the summary evaluation. Labor Counsel shall complete the summary evaluation within 14 days of receipt of the individual Board evaluations, unless extended by mutual agreement of the Chair and the Town Manager.
7. The Town Manager will then be afforded the opportunity to complete Section 3 of the performance evaluation document. The time limit for completing Section 3 shall be ten (10) calendar days.



SELECT BOARD POLICY

8. Within twenty-one (21) days following the Town Manager's completing Section 3 of the performance evaluation document, the Chair shall present the summary evaluation to the full Board for discussion and approval at a posted public meeting. Any amendments to the summary evaluation shall be done by majority vote.
9. The completed summary evaluation shall be signed by the Town Manager, and the Chair, and placed in the Town Manager's personnel file.
10. A copy of the signed summary performance evaluation shall be delivered to the Town Clerk for release when requested, after the individual evaluations are placed on file in the Human Resources Department. A copy of the summary shall also be placed in the Town Manager's personnel file. Individual Board member evaluations will be placed in a separate file within the Town Manager's Personnel File and are not to be destroyed. Unless an individual member's evaluation is discussed during a public meeting, the individual evaluation is not subject to release to the public.

AMENDMENTS:

1. This policy and procedure may be amended only by majority vote of the Board taken during a properly posted public meeting. Any such amendment shall be reduced to writing and incorporated herein.



SELECT BOARD POLICY

| | |
|-----------------------|-------------------|
| Policy Category: | Human Resources |
| Policy Number: | HR – 2019 - 10 |
| Latest Revision Date: | December 16, 2019 |

POLICY NAME: **STANDARDS OF CONDUCT POLICY**

I. PURPOSE

The purpose of this Policy is to define a Code of Conduct and prohibit workplace violence as defined herein, including, but not limited to, harassment, bullying, and intimidation, in order to ensure a safe work environment in which people are treated decently.

II. APPLICATION

This Policy applies to all employees of the Town of Groton. For purposes of this Policy, the term “employees” includes elected and appointed officials. Employees whose employment is governed by a collective bargaining agreement (“CBA”) are subject only to those provisions of this Policy not specifically regulated by law or a CBA. All employees have the responsibility to avoid any act or actions, implied or explicit, that may suggest any form of workplace violence, harassment, intimidation, or bullying of any employee or other person. The term “other person” includes contractors, vendors, consultants, and other non-employees, such as visitors or volunteers, who have reason to be engaged in business with the Town.

III. POLICY

It is the Policy of the Town to promote a professional and productive workplace in which all employees and other persons are treated with dignity and respect. Employees are expected to act in a positive manner and contribute to a productive work environment that is free from workplace violence, harassing or disruptive activity. Workplace violence such as harassment, bullying, or intimidation will not be tolerated. To achieve the goal of providing a workplace free from workplace violence, harassment, intimidation, and bullying, the Town will implement the procedure described below to address any potential inappropriate conduct.



SELECT BOARD POLICY

A. Coverage

This Policy applies to all interactions in Town-owned buildings and on Town property and may also apply to interactions that take place outside the workplace (including, but not limited to, online conduct or other electronic media). When the conduct complained of occurs outside of the workplace, the following and other factors may be considered in assessing whether the conduct constitutes conduct in violation of this Policy:

- whether the event at which the conduct occurred is linked to the workplace in any way, such as at a Town-sponsored function;
- whether the conduct occurred during work hours;
- the severity of the alleged outside-of-work conduct;
- the relationship of the complainant and alleged harasser, which includes whether the alleged harasser is a supervisor and whether the alleged harasser and complainant come into contact with one another on the job or on Town property;
- Whether the conduct adversely affected the terms and conditions of the complainant's employment or impacted the complainant's work environment; or whether the conduct constituted workplace violence, bullying, harassment or intimidation of any other person.

Because the Town takes allegations of workplace violence, harassment, intimidation, and bullying seriously, officials will respond promptly to complaints and, where it is determined that such inappropriate conduct has occurred, will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this Policy sets forth the Town's goals of promoting a workplace that is free of workplace violence, harassment, bullying, and intimidation, **the Policy is not designed or intended to limit the Town's authority to discipline or take remedial action for conduct which is deemed unacceptable, regardless of whether that conduct satisfies the definitions of workplace violence, intimidation, harassment or bullying.**



SELECT BOARD POLICY

B. Examples of Prohibited Behavior

It is not possible to list all the circumstances that may constitute behavior in violation of this Policy. For purposes of this policy, workplace violence, including, but not limited to, harassment, bullying, and intimidation is any written, verbal, or physical conduct designed to threaten, intimidate or coerce an employee, co-worker or any visitor or other person engaged in business with the Town. Prohibited behavior includes, but is not limited to, the following behaviors: slurs or other derogatory comments; sharing demeaning pictures, cartoons, or jokes; demeaning gestures, and; any conduct constituting harassment.

C. Workplace Violence

Violence in the workplace will not be tolerated. For the purposes of this policy, workplace violence is any behavior which is intended (or a reasonable person may perceive is intended) to intimidate, abuse or injure a person or damage or destroy property including, but not limited to bullying, threats, physical, verbal, written or visual attack, or property damage. The following definitions are incorporated to clarify the nature of the behavior prohibited by this policy. Note, workplace violent behavior is not limited to only these descriptions:

Bullying- Bullying is the use of force, threat, or coercion to abuse, intimidate, harass or aggressively dominate others. The behavior is often repeated and habitual. Bullies often vary their tactics hour to hour, day to day. Bullying includes, but is not limited to, written or spoken verbal abuse (i.e. shouting, swearing, name calling, malicious sarcasm, threats to safety); behaviors/actions (i.e. public or private) that are threatening, intimidating, humiliating, hostile, offensive, or inappropriately cruel; abuse of authority (i.e. undeserved evaluations, denial of advancement, tarnished reputation, arbitrary instructions, unsafe assignments); interference with work performance (i.e. sabotage, undermining, ensuring failure) or destruction of relationships (i.e. among co-workers, bosses, or other persons).

A Threat- expression of intent to cause physical or mental harm regardless of whether the person communicating the threat has the present ability to carry out the threat, and regardless of whether the threat is contingent, conditional or future.

Physical Attack- intentional hostile physical contact with another person such as hitting, fighting, pushing, shoving, or throwing an object.

Verbal Attack- intentional hostile communication (including recorded messages) with another person such as abusive outbursts, verbal tirades intended to offend, offensive comments, or use of obscene or threatening language.



SELECT BOARD POLICY

Written Attack- the use of printed, electronic or social media, including notes, letters, drawings, pictures, or computerized mail, to threaten, intimidate, abuse, ridicule, denigrate or harass a person or to threaten property.

Visual Attack- the use of bodily gestures that are threatening, obscene, or abusive.

Property Damage- intentional damage (as a reasonable person may presume by the nature of the damage) to property which includes property owned by the town, employees, or other persons.

IV. PROCEDURES

A. Complaints

If an employee or other person believes that he or she has been subjected to behavior in violation of this Policy the employee or other person has the right to file an internal complaint. This may be done orally or in writing.

An employee or other person may file a complaint by contacting the Human Resources Director. The HR Director will remain available to discuss any concerns the complainant may have and to provide information about the Town's Policy and the complaint process. The HR Director shall contact Town Counsel's office to discuss any complaints filed and determine whether a formal investigation is required, or the complaint may be resolved in an informal manner. If an informal investigation is appropriate, the HR Director will investigate and attempt to resolve the complaint. If a formal investigation is appropriate, the Town will use a professional investigator retained by Town Counsel.

B. Investigation

When a complaint of workplace violence is received, the allegations will promptly be investigated in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. The investigation will include a private interview with the person filing the complaint and with any witnesses. The investigator will also interview the person alleged to have violated this Policy. When the investigation has concluded, the investigator will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

If it is determined that inappropriate conduct has occurred, the Town will act promptly to eliminate the offending conduct, and where appropriate, impose disciplinary action.



SELECT BOARD POLICY

C. Confidentiality

Given the sensitive nature of complaints of workplace violence, harassment, bullying, and intimidation, all parties and witnesses in a complaint, as well as department heads, supervisors, etc. who are aware of a complaint or investigation thereof, are required to maintain this information as confidential, so as not to negatively impact an investigation. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances.

All employees are reminded of the provisions of G.L. c. 268A, § 23(c)(2), which prohibit a municipal employee or official from improperly disclosing information that is protected from disclosure under the public records law and acquired by an employee or official in the course of official duties. Section 23 also prohibits a municipal employee or official from using such information to further the employee's/officials' personal interest. Violations of Section 23 may lead to disciplinary action, up to and including termination.

D. Retaliation

Any retaliation against an individual who has formally or informally complained about workplace violence, harassment, bullying, or intimidation, or has cooperated with an investigation of a workplace violence, harassment, bullying, or intimidation complaint, is prohibited. Retaliation can be overt or subtle. Retaliation may include, but is not limited to, treating a complainant or witness differently, more harshly or in a hostile manner; physical interference with movement such as blocking a path; derogatory comments or action which would tend to have a chilling effect on other complainants; sudden investigations of the complainant's private life, or; sudden strict enforcement of work rules. Retaliation in any form will not be tolerated.

V. SANCTIONS

If it is determined that inappropriate conduct has been committed by an employee, the Town will take such action as is appropriate under the circumstances. Such actions may include: counseling, informal or formal reprimands, written or verbal warnings, suspension, reduction in pay, reduction in duties, transfers, and other formal sanctions, including termination from employment.

VI. EMPLOYEE ASSISTANCE PROGRAM

The Employee Assistance Program is available to all employees. This is available 24/7 to assist employees with work issues. The number is 1-800-451-1834.



SELECT BOARD POLICY

TOWN OF GROTON STANDARDS OF CONDUCT POLICY

This acknowledges that I have received and reviewed the Town of Groton's Standards of Conduct Policy. By signing this form, I agree to abide by the Policy and any Guidelines promulgated thereunder, and I agree to review periodically any changes or modifications. I recognize that the law and associated Policy regarding discrimination and harassment are continually evolving. Therefore, I understand that my regular review of this Policy, as it may be amended, is required.

Print Name: _____

Signature: _____

Date: _____

To be included in employee's personnel file.



SELECT BOARD POLICY

| | |
|-----------------------|-------------------|
| Policy Category: | Human Resources |
| Policy Number: | HR – 2019 - 15 |
| Latest Revision Date: | December 16, 2019 |

POLICY NAME: ANTI-DISCRIMINATION, EQUAL EMPLOYMENT OPPORTUNITY POLICY

I. PURPOSE

The purpose of this policy is to prohibit unlawful discrimination in the workplace, in order to ensure compliance with all applicable federal laws and state statutes and regulations.

II. APPLICATION

The Policy applies to all employees of the Town of Groton. Employees whose employment is governed by a collective bargaining agreement ("cba") are subject only to those provisions of this Policy not specifically regulated by law or a CBA.

III. POLICY

It is the Policy of the Town to promote a professional and productive workplace in which all employees are treated with dignity and respect. Employees are expected to act in a positive manner and contribute to a productive work environment that is free from discriminatory behavior. Discrimination, whether based upon race, color, gender, gender identity, national origin, religion, ancestry, age, sexual orientation, disability, maternity leave, genetic information, active military status, marital status, or other bases prohibited under state or federal anti-discrimination statutes, will not be tolerated. To achieve the goal of providing a workplace free from discrimination, the Town will implement the procedure described below to address any potential inappropriate conduct.

A. Coverage

This Policy applies to all employment practices and employment programs sponsored by the Town. This Policy shall apply, but not be limited to, the areas of:

- Recruitment
- Selection
- Compensation and benefits
- Professional development and training



SELECT BOARD POLICY

- Reasonable accommodation for disabilities or religious practices
- Promotion Transfer
- Termination
- Layoff, and
- Other terms and conditions of employment.

This Policy may apply to discrimination that occurs between co-workers that takes place outside the workplace (including, but not limited to, online conduct or other electronic media). When the conduct complained of occurs outside of the workplace, the Town may consider the following and other factors in assessing whether the conduct constitutes conduct in violation of this Policy:

- whether the event at which the conduct occurred is linked to the workplace in any way, such as at a Town-sponsored function;
- whether the conduct occurred during work hours;
- the severity of the alleged outside-of-work conduct;
- the work relationship of the complainant and alleged harasser, which includes whether the alleged harasser is a supervisor and whether the alleged harasser and complainant come into contact with one another on the job;
- Whether the conduct adversely affected the terms and conditions of the complainant's employment or impacted the complainant's work environment.

Because the Town takes allegations of unlawful discrimination seriously, officials will respond promptly to complaints and, where it is determined that such inappropriate conduct has occurred, will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this Policy sets forth the Town's goals of promoting a workplace that is free of discrimination and harassment, **the Policy is not designed or intended to limit the Town's authority to discipline or take remedial action for workplace conduct which is deemed unacceptable, regardless of whether that conduct satisfies the legal definitions of discrimination or harassment.**



SELECT BOARD POLICY

B. Examples of Prohibited Behavior

It is not possible to list all the circumstances that may constitute discrimination in violation of this Policy. Discrimination may take many forms, including both verbal and nonverbal behaviors. Prohibited behavior includes, but is not limited to, the following behaviors connected to someone's membership in one or more groups protected by law as noted in paragraph III above: slurs or other derogatory comments; sharing demeaning pictures, cartoons, or jokes; demeaning gestures, and; any conduct constituting sexual harassment.

C. Definition of Sexual Harassment

It is unlawful to harass a person (an applicant or employee) because of that person's gender. Harassment can include "sexual harassment" or unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature . . . when . . . submission to or rejection of such conduct is used as the basis for employment decisions . . . or such conduct has the purpose or effect of . . . creating an intimidating, hostile or offensive working environment.

Harassment can include offensive remarks about a person's gender. For example, it is illegal to harass a woman by making offensive comments about women in general. Both victim and the harasser can be either a woman or a man, and the victim and harasser can be the same gender.

The harasser can be the victim's supervisor, a supervisor in another area, a co-worker, or someone who is not an employee of the employer, such as a visitor on Town property or a volunteer.

Generally

There are two types of sexual harassment: "quid pro quo" harassment and "hostile work environment" harassment. They may occur independently or concurrently.

Quid Pro Quo – A form of sexual harassment, where tangible job benefits are offered or withheld in exchange for sexual favors. Under this definition, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment.



SELECT BOARD POLICY

That conduct, including unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, which may constitute sexual harassment when:

- 1) Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment;
- 2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.

Hostile Work Environment – A form of sexual harassment where pervasive and sexually hostile working conditions unreasonably interfere with an employee's ability to do his or her job.

Note: While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances, whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences; and,
- Discussion of one's sexual activities.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually-oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a work place environment that is hostile, offensive, intimidating, or humiliating to male or female workers may also constitute sexual harassment. This can include conduct that is aimed at a person's sexual orientation or gender identity.



SELECT BOARD POLICY

IV. PROCEDURES

A. Complaints

If an employee believes that he or she has been subjected to discrimination, including sexual harassment, it is the Town's policy to provide the employee with the right to file an internal complaint. This may be done orally or in writing.

An employee may file a complaint of discrimination, including sexual harassment, by contacting the Human Resources Director. The HR Director will remain available to discuss any concerns employees may have and to provide information about the Town's Policy forbidding discrimination and the complaint process. The HR Director shall contact Town Counsel's Office to discuss any complaints filed and determine whether a formal investigation is required, or the complaint can be resolved in an informal manner. If a formal investigation is appropriate, the Town will use a professional investigator retained by Town Counsel.

B. Investigation

When a complaint of discrimination, including sexual harassment, is received, the allegations will promptly be investigated in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. The investigation will include a private interview with the person filing the complaint and with any witnesses. The investigator will also interview the person alleged to have violated this Policy. When the investigation has concluded, the investigator will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

If it is determined that inappropriate conduct has occurred, the Town will act promptly to eliminate the offending conduct, and where appropriate, impose disciplinary action.

C. Confidentiality

Given the sensitive nature of complaints of discrimination, all parties and witnesses in a complaint, as well as department heads, supervisors, etc. who are aware of a complaint or investigation thereof, are required to maintain this information as confidential, so as not to negatively impact an investigation. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances.



SELECT BOARD POLICY

All employees are reminded of the provisions of G.L. c. 268A, § 23(c)(2), which prohibit a municipal employee or official from improperly disclosing information that is protected from disclosure under the public records' law and acquired by an employee or official in the course of official duties. Section 23 also prohibits a municipal employee or official from using such information to further the employee's/officials' personal interest. Violations of Section 23 may lead to disciplinary action, up to and including termination.

D. Retaliation

Any retaliation against an individual who has formally or informally complained about discrimination, including harassment, or has cooperated with an investigation of a discrimination complaint, is prohibited.

Retaliation can be overt or subtle. Retaliation may include, but is not limited to, treating a complainant or witness differently, more harshly or in a hostile manner; physical interference with movement such as blocking a path; derogatory comments or action which would tend to have a chilling effect on other complainants; sudden investigations of the complainant's private life, or; sudden strict enforcement of work rules. Retaliation in any form will not be tolerated.

V. SANCTIONS

If it is determined that inappropriate conduct has been committed by an employee, the Town will take such action as is appropriate under the circumstances. Such actions may include: counseling, informal or formal reprimands, written or verbal warnings, suspension, reduction in pay, reduction in duties, transfers, and other formal sanctions, including termination from employment.

VI. STATE AND FEDERAL REMEDIES

In addition to the above, if an employee believes he or she has been subjected to sexual harassment, he or she may file a formal complaint with either or both of the government agencies listed below. Using the Town's complaint process does not prohibit an employee from filing a complaint with either of these agencies. Please note that both agencies have a short time period for filing a claim (300 days).



SELECT BOARD POLICY

1. The United States Equal Employment Opportunity Commission (EEOC)

John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
Phone: (800) 669-4000
TTY: (800) 669-6820

2. The Massachusetts Commission Against Discrimination (MCAD)

Boston Office

One Ashburton Place
Sixth Floor, Room 601
Boston, MA 02108
Phone: 617-994-6000
TTY: 617-994-6196

Springfield Office

436 Dwight Street
Second Floor, Room 220
Springfield, MA 01103
(413) 739-2145

Worcester Office

Worcester City Hall
455 Main Street, Room 100
Worcester, MA 01608
(508) 799-8010
(508) 799-8490 – FAX

New Bedford Office

800 Purchase St., Rm 501
New Bedford, MA 02740
(508) 990-2390
(508) 990-4260 - FAX

VII. EMPLOYEE ASSISTANCE PROGRAM

The Employee Assistance Program is available to all employees. This is available 24/7 to assist employees with work issues. The number is 1-800-451-1834.



SELECT BOARD POLICY

VIII. REASONABLE ACCOMMODATION

The Town will not discriminate against people with disabilities in any employment practices or in terms, conditions or privileges of employment, including, but not limited to: application, testing, hiring, assignment, evaluation, disciplinary action, training, promotion, medical examination, layoff/recall, termination, compensation, leaves or benefits. The Town will make reasonable accommodation to the known physical or mental limitations of a qualified applicant or employee with a disability, unless such action would cause an undue hardship to the operations of the Town.

Employees seeking reasonable accommodations may submit their request in writing to their Department Head, Human Resources, or the Town Manager.

IX. STANDARDS OF CONDUCT

Employees are expected to conduct themselves professionally internally and with the public. This will enhance respect and confidence in the employee and the town. Employees must not only perform their duties with integrity, but must avoid unprofessional behavior. In addition, it is expected that all visitors of all town departments and facilities comply with the "Visitors Code of Conduct". See attached for policy.

XI. EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

The Town will not discriminate in its employment practices, on the basis of race, color, gender, gender identity, national origin, religious creed, ancestry, age, sexual orientation, disability, maternity leave, genetic information, active military status, or another basis prohibited under state or federal anti-discrimination statutes. This shall include such areas as recruitment, selection, compensation and benefits, professional development and training, reasonable accommodation for disabilities or religious practices, promotion, transfer, termination, layoff, and other terms and conditions of employment.



SELECT BOARD POLICY

TOWN OF GROTON **ANTI-DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY POLICY**

This acknowledges that I have received and reviewed the Town of Groton's Anti-Discrimination and Equal Employment Policy ("Policy"). By signing this form, I agree to abide by the Policy and any Guidelines promulgated thereunder, and I agree to review periodically any changes or modifications. I recognize that the law and associated Policy regarding discrimination, including sexual, harassment are continually evolving. Therefore, I understand that my regular review of this Policy, as it may be amended, is required.

Print Name: _____

Signature: _____

Date: _____

To be included in employee's personnel file.



SELECT BOARD POLICY

| | |
|-----------------------|-------------------|
| Policy Category: | Board |
| Policy Number: | BOA – 2019 – 9 |
| Latest Revision Date: | November 25, 2019 |

POLICY NAME: **INVESTIGATIONS POLICY AND PROCEDURE**

Pursuant to G.L. c. 41, sec. 23B and Section 3-2(e) of the Town Charter, the Select Board may make an investigation into the affairs of the Town and into the conduct and operation of any Town department. Copies of the full text of the report on the results of any such investigation shall be placed on file in the office of the board of selectmen, the office of the town clerk and in the town library and a report summarizing the results of the investigation shall be printed in the next annual town report.

Investigations conducted by the Board pursuant to the General Laws and the Town Charter shall be conducted pursuant to this policy and procedure.

This Policy shall not apply to harassment or discrimination complaints filed against Town employees. Such complaints shall be processed pursuant to HR-2019-10, the Select Board Anti-Harassment Policy.

1. If a member or members of the Board are presented with a request that the Board initiate an investigation, the request shall be reduced to writing and forwarded to the Chair. If the Chair receives a request for an investigation, he/she shall timely inform the other members of the request. Members of the Board are not to engage in deliberation or discussion relative to the request outside of a properly posted meeting of the Board under the Open Meeting Law.
2. Upon the Chair's receipt of an investigation request, the Chair shall meet with the Town Manager to review the request. If the request pertains to a matter placed in the Town Manager's charge pursuant to Section 4-2 of the Charter, including allegations of misconduct by an employee for which the Town Manager serves as the appointing authority, the request shall be referred to the Town Manager for further review and disposition, and the Chair shall so inform the other members. In the event the Chair and Town Manager disagree at this step as to referring the request, the request shall be presented to the full Board for review and a determination as to whether the request shall be referred to the Town Manager.



SELECT BOARD POLICY

3. If the request falls within the purview of the Board pursuant to the General Laws and the Town Charter, the Chair shall place on a future Board meeting agenda an item relative to receipt of the request and whether the Board will initiate an investigation. Whether the Board may meet in Executive Session to discuss the request, and what exemption to the Open Meeting Law may apply, shall be determined on a case-by-case basis.
4. A majority vote of those members present and voting is required for the Board to initiate an investigation. At its discretion, the Board may retain an outside investigator to conduct the investigation, direct that the Town Manager conduct the investigation, or a member of the Board may be designated to conduct the investigation. The Board may also take other action(s) with regard to the request as the Board deems appropriate, including referring the request to non-binding alternative dispute resolution, in an attempt to resolve the matter.
5. An investigator designated by the Board to conduct the investigation shall have the right to review Town records that are relevant to the investigation and may conduct interviews of Town employees, and others, which the investigator deems necessary during the course of the investigation. Upon completion of the investigation, the investigator shall deliver his/her written findings to the Chair.
6. Upon receipt of the investigator's written findings the Chair shall forward the findings to each member of the Board and promptly place an item on a Board meeting agenda for the Board to discuss the findings and determine what, if any, remedial steps shall be taken as a result of the investigator's findings. Whether the Board may meet in Executive Session to discuss the findings, and what exemption to the Open Meeting Law may apply, shall be determined on a case-by-case basis.
7. If the investigation request pertains to an act or omission committed by a member of the Board or the Town Manager, or an immediate family member of either, the member or Town Manager, as the case may be, shall not participate in the processing of that investigation request.
8. This policy and procedure may be amended only by majority vote of the Board taken during a properly posted public meeting. Any such amendment shall be reduced to writing and incorporated herein.



SELECT BOARD POLICY

| | |
|-----------------------|-------------------|
| Policy Category: | Board |
| Policy Number: | BOA – 2019 - 10 |
| Latest Revision Date: | December 16, 2019 |

POLICY NAME: **LIAISON POLICY**

I. **PURPOSE AND SCOPE**

The purpose of this policy is to define the role of a Selectmen's liaison to other Elected Boards, Committees and Commissions in order for the Select Board to strengthen and enhance its communication throughout the Town, pursuant to the Charter Section 3-2.

II. **POLICY**

- After the annual election, each member of the Select Board shall be assigned as a liaison to the other Elected Boards, Committees and Commissions. Assignments shall be determined by the Chair of the Select Board. The Chair should as much as possible respect the interests of individual Select Board members when making assignments. The liaison shall meet with the assigned Elected Board, Committee or Commission periodically to become familiar with the operation, and issues that occur. The liaison shall keep the other Select Board Members and the Town Manager updated on their communication with the other Elected Boards, Committees and Commissions.
- As deemed appropriate, the liaison may attend relevant meetings that may relate to your liaison assignment. Communicate with your primary point of contact on a periodic basis and share information learned with the Town Manager and the Board as part of the Board's Regular Meeting Agenda.
- The Elected Boards, Committees or Commissions will have a liaison primary and alternate.

The following is a list of the Elected Boards, Committees and Commissions that shall have a Select Board Liaison:



SELECT BOARD POLICY

- Board of Assessors
- Electric Light Commission
- Groton Dunstable Regional School Committee
- Board of Health
- Groton Housing Authority
- Park Commission
- Planning Board
- Sewer Commission
- Water Commission
- Trust Fund Commission
- Trustees of Public Libraries



SELECT BOARD POLICY

| | |
|-----------------------|------------------|
| Policy Category: | Board |
| Policy Number: | BOA – 2019 - 11 |
| Latest Revision Date: | October 17, 2019 |

POLICY NAME: MEETINGS ON HOLIDAYS POLICY

I. PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for public meetings on holidays for all Town Boards and Committees.

II. POLICY

- A. It is the policy of the Select Board that no Town Board or Committee shall hold regularly scheduled meetings on any recognized and/or declared Local, State or Federal holiday including religious holidays, except under emergency circumstances.
- B. All boards, committees, commissions are strongly encouraged to recognize and adopt this practice.



SELECT BOARD POLICY

| | |
|-----------------------|-------------------|
| Policy Category: | Board |
| Policy Number: | BOA – 2019 – 17 |
| Latest Revision Date: | December 16, 2019 |

POLICY NAME: **SOCIAL MEDIA POLICY**

Introduction

As part of the official internet presence for the Town of Groton (the “Town”), the Town's social media sites will be used by the Town, its agencies and officials for communicating information with the goal of informing the public of the work, news and updates from Town departments. The Town's social media sites are subject to the same rules as other government publications. The Town is not obligated to comment or reply to any response, comments or messages, but it will moderate comments and contributions to the site by the public in order to comply with all applicable laws and with this Policy.

Purpose

The purpose of this Policy is to establish procedures governing the use of Town social media accounts to ensure proper, safe and effective use of social media to disseminate information for the Town.

General

1. The Town has created or may create social media accounts as a customer service tool for the dissemination of factual information to the public. Such social media sites are subject to the approval of the Department Head and Town Manager or his/her designee.
2. Only social media accounts that are listed at www.grotonma.gov shall be considered official accounts. The Town Manager shall be responsible for determining what can be considered as an official account of the Town. Official accounts must indicate as much in the profile and should include a link back to www.grotonma.gov and to this policy.



SELECT BOARD POLICY

3. The Town's social media site will be used by the Town and its departments for communicating information with the purpose of informing the public of the work, news, events and updates of the various Town departments.
4. The Town's social media accounts are not open forums, and will be limited to the subject matter posted by the various Town departments.
5. The Town is not obligated to respond to any comments or private messages.
6. Content posted to the Town's official social media is subject to Massachusetts Public Records Law, including, but not limited to a page's list of subscribers/followers, posted communication and communication submitted for posting.
7. Members of the public that correspond using the Town's social media sites should be made aware that such communications may be made public without further notice or consent.
8. The Town and its departments are not obligated to "follow" or "friend" any organization or individual. The Town and its departments may follow other public entities such as another municipal, state, quasi-state or federal agency for the coordination and dissemination of interest to the general public.
9. The Town's official social media sites shall not be used to promote private commercial interests.
10. No comments will be accepted through the Town's social media accounts for any public hearing or meeting; either adjudicatory public hearings or any other notified public hearing. Residents must attend public hearings and meetings or directly communicate with the deliberative body.
11. Comments and messaging cannot be used as any formal notification or request for any public meeting or services, although it may refer to such notices already posted on www.grotonma.gov.



SELECT BOARD POLICY

12. The Town is responsible solely for the content uploaded to the official Town accounts, and not for any related or "suggested" videos, linked photos linked from other users, nor for any advertising or other content contained on the relevant platform.

Monitoring

1. The Town reserves the right to remove from public view any post, comment, photo or remark that does not conform with this Policy or contains the following content:
 - A. Content that violates the host site's terms of use or policy;
 - B. Comments not topically related to the particular social media article or thread;
 - C. Content that is abusive, defamatory, disparages an individual or contains personal attacks, insults or threatening language, unless otherwise protected by the First Amendment of the United States Constitution or the Massachusetts Constitution;
 - D. Comments in support of or in opposition to political campaigns or ballot measures;
 - E. Profane language or content;
 - F. Content that promotes, fosters, or perpetuates discrimination on the basis of any protected class under state or federal law;
 - G. Sexual content;
 - H. Solicitations of commerce, commercial promotions or spam content;
 - I. Conduct or encouragement of illegal activity;
 - J. Information that may tend to compromise the safety or security of the public or public systems;
 - K. Personal and private information;
 - L. Content that violates a legal ownership interest of any other party;
 - M. Comments or hyperlinks unrelated to posted information.



SELECT BOARD POLICY

Use By Employees

1. Employees may use the Town's social media sites to communicate the following:
 - A. Announcements about departmental or community items of interest;
 - B. Emergency notifications;
 - C. Highlighting of Town events and activities;
 - D. Provision of historical and/or current information relative to the Department or Town;
 - E. Highlight employees who have done good work for the community;
 - F. To direct the public to content on www.grotonma.gov.

2. Employees whom have been approved by the Town Manager to communicate through the Town's social media sites shall also adhere to the following:
 - A. Employees shall conduct themselves at all times as a professional representative of the Town and in accordance with all Town policies;
 - B. Any employee authorized to post information shall review, be familiar with, and comply with this Policy;
 - C. Any employee authorized to post information shall not express his/her own personal views or concerns through such postings. Postings shall only reflect information from the Town;
 - D. Town social media sites shall use authorized Town contact information for account set-up, monitoring and access. The use of personal e-mail accounts or phone numbers by any Town employee is not allowed for the purpose of setting-up, monitoring or accessing a Town social media site;
 - E. Employees may remove posts from public view in order to adhere to the monitoring guidelines as indicated in this Policy. If such removal is necessary, employees are required to document the original post, the date of deletion and the reason the post was deleted from the platform;
 - F. It is the employees' responsibility to retain and maintain all deletion logs affiliated with their department's accounts.



SELECT BOARD POLICY

3. This Policy is separate from and in addition to the requirements of all Town employees in the Acceptable Use of Technology Policy.

Policy Changes

1. The Select Board reserves the right to change, modify or amend all or part of this policy at any given time.



SELECT BOARD POLICY

TOWN OF GROTON

SOCIAL MEDIA POLICY

EMPLOYEE ACKNOWLEDGEMENT OF RECEIPT

I, _____, hereby acknowledge receipt of the Town's Social Media Policy on the date set forth below.

Employee's Signature

Witness

Date

Please keep the attached document for your files and return this Acknowledgement to the Town's Human Resources Department.

cc: Personnel File



SELECT BOARD POLICY

| | |
|-----------------------|------------------|
| Policy Category: | Board |
| Policy Number: | BOA – 2019 – 12 |
| Latest Revision Date: | October 17, 2019 |

POLICY NAME: **MEMORIAL PARKS AND COMMONS POLICY**

I. **PURPOSE AND SCOPE**

The purpose of this policy is to identify commons and parks that have been named and define the process for naming and dedicating commons and parks in the future.

II. **POLICY**

A. **Town Commons**

1. There are seven (7) Commons and Parks named after servicemen who were killed in service to their country:
 - a. John G. Armstrong Square located on Farmers Row and the performing arts entrance to the Groton School.
 - b. Byron H. Wilson Square located at Boston Road and Old Ayer Road
 - c. William H. Boynton, Jr. Square located at Hollis Street.
 - d. Frank W. Sawyer Square located at Hollis Street and Martins Pond Road.
 - e. Charles R. Gordon Square located at Pleasant Street and Main Street.
 - f. Samuel E. Badger, Jr. located at Mill Street and Farmers Row.
 - g. Joseph E. Cutler Square located at West Main Street and Pepperell Road, West Groton.
 - h. Carol G. Wheeler Park located at West Main Street and Townsend Road, West Groton.
2. Other Commons
 - a. Minuteman Common located at Route 119n and Route 40 in front of the Old Parish Church
 - b. Fireman's Common located at Pleasant Street and Main Street.



SELECT BOARD POLICY

- B. **Process for Naming Commons:** Any request for naming a Common should initially begin with a written request submitted to the Select Board. The Select Board, in consultation with the Parks Commission shall consider the request. Town Commons shall only be named for Town residents who, while serving in the Armed Services, are killed in service to their country. The Select Board shall confirm with the Parks Commission on the appropriate placement and memorial marker. The Parks Commission shall be responsible for the maintenance of the Common.
- C. **Process for Naming Parks:** A written request for naming of a Park after a person shall be submitted to the Select Board. The Select Board shall consider the request taking into consideration the particular circumstances as well as the length of residency in Groton. The Select Board in conjunction with the Parks Commission shall determine the name of the Park.
- D. **Process for dedicating memorial benches, trees and structures on Town Parks and Commons:** A written request, detailing the request including pictures if possible, shall be submitted to the Parks Commission. The Parks Commission shall meet with the Select Board to consider the request. If the Park or Common is within the Historic District Commission, their approval is required as well. Both the Parks Commission and the Select Board shall be in agreement on the placement and type of memorial.



SELECT BOARD POLICY

| | |
|-----------------------|-------------------|
| Policy Category: | Board |
| Policy Number: | BOA – 2019 – 8 |
| Latest Revision Date: | December 16, 2019 |

POLICY NAME: **FINANCIAL POLICIES**

Introduction

The Select Board sets forth the following financial principles consistent with its responsibilities in Groton's Home Rule Charter. These principles provide a broad framework for overall fiscal planning and management of the Town of Groton's resources. In addition, these principles address both current activities and long-term planning. The principles are intended to be advisory in nature and serve as a point of reference for all policy-makers, administrators and advisors. It is fully understood that Town Meeting retains the full right to appropriate funds and incur debt at levels it deems appropriate, subject, of course, to statutory limits such as Proposition 2 1/2.

The principles outlined in this policy are designed to ensure the Town's sound financial condition, and seek to be in the best economic interest of the Town now and in the future. Sound Financial Condition may be defined as:

- Cash Solvency - the ability to pay bills in a timely fashion.
- Budgetary Solvency - the ability to balance the budget annually.
- Long-Term Solvency - the ability to pay future costs.
- Service Level Solvency - the ability to provide needed and desired services.
- Public Confidence - the ability to garner public support for decisions that promote financial stability.

It is equally important that the Town maintain flexibility in its finances to ensure that the Town is in a position to react and respond to changes in the economy and new service challenges without measurable financial stress.



SELECT BOARD POLICY

General Financial Guidelines

1. Financial discussions shall be open and inclusive. The Town is committed to regular financial forecasting, independent audit, and periodic public review of financial details and ratification of decisions by Town Meeting.
2. The Town will avoid budgetary procedures that balance current obligations at the expense of meeting future years' needs, such as postponing expenditures or accruing future years' revenues. Long and short term debt will be scheduled with careful attention to the Town's capital needs plan, and managed in such a way as to avoid excessive issuance costs.
3. Ongoing operating costs will be funded by ongoing operating revenue sources. This protects the Town from fluctuating service levels and avoids concern when one-time revenues are reduced or removed. The Town Manager and the Department of Finance shall collaborate with the Finance Committee to prepare, maintain and present to the Select Board and Town Meeting a five-year financial plan for the Town.
4. The Town will maintain a Stabilization Fund as one of its two primary financial reserves. It shall be the goal of the Town to achieve and maintain a balance of at least 5% of the Town's current line item budget.
5. The Town will maintain a Municipal Capital Stabilization Fund to defray the cost of new equipment, building maintenance, and capital improvements to town land and buildings to the extent that these costs may be funded by the Fund's balance. (See Debt Management Policies for costs exceeding the Fund's balance, which may be funded by borrowing.) It shall be the goal of the Town to maintain a balance in this fund of a minimum of 1.5% of the Town's current line item budget, with the objective to grow the fund to support near term and cover longer term needs.
6. The Town will continue to maintain a Conservation Fund to be used in part for the purchase of land, or conservation restrictions or agricultural preservation restrictions on lands that exhibit high value for protection because they contain important natural resources. The Conservation Commission is responsible for formulating and prioritizing a list of such parcels so that a plan may be established for future purchases. It shall be the goal to maintain a balance in the Conservation Fund of at least 2% of the Town's current line item budget, exclusive of Enterprises and the Community Preservation Fund; and to the extent possible, deposits to the Conservation Fund should come from the Community Preservation Surtax.



SELECT BOARD POLICY

7. The Town shall maintain a Community Preservation Fund in accordance with the current law. The fund will be managed in a manner that will guarantee payment of current debt service prior to approving new capital costs. Borrowing shall be managed in order to assure that no more than a total 75% of CPA receipts, not including annual contributions to the fund by the Commonwealth, are dedicated to debt service in compliance with Massachusetts Department of Revenue IGR 00-209 and File #2004-464.

8. The Town shall monitor its Special Revenue Funds (Gifts, Grants, and Trusts) and its Enterprise Funds to assure the solvency of these funds and avoid undue stress on the general fund. To this end, a) Enterprise policies shall require that rates be set to ensure revenues are sufficient to fund all operating costs and debt service and fund retained earnings, unless there is an explicit policy implemented by the Town to provide General Fund support to the Enterprise. In addition, b) Enterprise policies shall include a goal for the targeted amount of retained earnings. The goal shall include amounts considered appropriate to fund unexpected occurrences and emergencies and expenditures necessary to meet change in law requirements, to fund capital and operating reserves, and to serve as a rate stabilization reserve. The policies shall also include a goal for debt limitations consistent with the Town's general goals. In addition, c) the Town shall not enter into contracts for reimbursable and/or matching grant liabilities whose aggregate total exceeds 1.5% of the Town's current line item budget, unless the Town Manager receives prior approval from the Select Board and Finance Committee.

9. The Select Board and the Finance Committee shall review the financial policies annually, seeking input from financial staff and advisors. This review should take place by October 1st of each year.

10. Investment practices will be in accordance with the Town's "Investment Policy".



SELECT BOARD POLICY

TOWN OF GROTON FREE CASH POLICY

I. PURPOSE AND SCOPE

The Town's Excess and Deficiency (E&D) Fund "Free Cash" is the result of the calculation, as of July 1, of Groton's remaining, unrestricted funds from its operations of the previous fiscal year based on the balance sheet as of June 30. It typically includes receipts in excess of revenue estimates and unspent amounts in departmental budget line items for the year just ended, plus unexpended free cash from previous years. Free Cash plays an important role in allowing Groton to sustain a strong credit rating. The purpose of this policy is to provide guidance on the use of Free Cash to fund certain expenditures

II. POLICY

1. As a nonrecurring revenue source, spending from the E&D account is allowed for any lawful municipal purpose, however, it should be restricted to paying one-time expenditures, funding capital projects, or replenishing other reserves.
2. The Town should strive to maintain an E&D account balance in an amount equal to one (1%) percent of its current Town's current line item budget. This amount is in addition to the policy of having the Stabilization Fund equal five (5%) percent of the Town's current line item budget.
3. The Town should strive to maintain a Municipal Capital Stabilization Fund (excluding the Town created GDRSD Capital Stabilization Fund) balance at 1.5% of the Town's current line item budget with the goal to grow the fund to support near term and cover longer term needs.
4. The E&D account balance shall be maintained through the use of fiscally responsible revenue projections and departmental spending.
5. The E&D account balance can be expended at the discretion of Town Meeting for the following purposes:
 - a. To Replenish the Stabilization Fund, replenish and grow the Capital Stabilization Fund and fund the Town created Groton-Dunstable Regional School District's Capital Stabilization Fund.
 - b. To pay employee incentives (i.e. health savings accounts, health reimbursement accounts, merit increases) contingent on the availability of a sufficient E&D account balance.



SELECT BOARD POLICY

- c. To fund an annual contribution to the Other Post-Employment Benefits (OPEB) liability trust fund.
- d. To fund one-time projects proposed by the Select Board and Finance Committee.
- e. Offset the Tax Rate.



SELECT BOARD POLICY

TOWN OF GROTON DEBT MANAGEMENT POLICY

Introduction

The use of long-term debt is a common and often necessary way for a community to address major infrastructure and equipment needs. It is also a means of spreading the cost of large capital projects over a larger, changing population base. However, when a local government incurs long-term debt, it establishes a fixed obligation for many years. Accumulation of such fixed burdens can become so great that a local government finds it difficult to pay both its operational costs and debt service charges. Great care and planning must therefore be taken when incurring long-term debt to avoid placing a strain on future revenues. The purpose of this policy is to establish guidelines governing the use of long-term debt. Massachusetts General Laws, Chapter 44, Sections 7 & 8 regulate the purposes for which municipalities may incur debt and the maximum maturity for bonds issued for each purpose. Massachusetts General Laws, Chapter 44, Section 10, specifies that the debt limit for towns is 5% of Equalized Valuation.

Capital Funding Guidelines

The Town's long-term debt strategies will be structured to reflect its capital needs and ability to pay. The Capital Stabilization Fund (see "Overall Financial Policies", #5) will be used in conjunction with regular financial forecasting to maintain overall borrowing costs at a reasonable level (see Debt Limitations below). The Town will not, in general, bond projects or aggregate funding of multiple projects/purchases that fall within the funding ability of the Capital Stabilization Fund. Except for emergency needs, the Town will plan its funding for major capital purchases or improvements by utilizing both the timing of debt acquisition and the length of term for debt repayment in a manner which allows the Town to remain within the guidelines for annual debt service (see Debt Limitations below).

Bond Rating

The community's bond rating is important because it determines the rate of interest it pays when selling bonds and notes. Other things being equal, the higher the bond rating, the lower the interest rate. Bond analysts (Moody's, Standard & Poor's, Fitch) typically look at four sets of factors in assigning a credit rating:

- Debt Factors: debt per capita, debt as a percentage of equalized valuation and rate debt amortization.
- Financial Factors: operating surpluses or deficits, free cash as a percent of revenue, state aid reliance, property tax collection rates, and unfunded pension liability.
- Economic Factors: property values, personal income levels, tax base growth, tax and economic base diversity, unemployment rates and population growth.



SELECT BOARD POLICY

- Management Factors: governmental structure, the existence of a capital improvement plan, the quality of accounting and financial reporting, etc.

The Town will continually strive to improve its bond rating through sound financial management, improved receivables management, accounting and financial reporting and increased reserves, such as the Stabilization Fund.

Debt Limitations

General Fund Debt Service: A limit on debt service costs as a percent of the Town's total budget is especially important because of Proposition 2½ constraints on town's budget. At the same time, the community's regular and well-structured use of long-term debt symbolizes the municipality's commitment to maintaining and improving its infrastructure. The Town of Groton is committed to a debt service budget equal to 5% of the Town's current line item budget, exclusive of Enterprise funded debt, Community Preservation funded debt and debt service excluded from Proposition 2 1/2. The Town will also, by policy, establish a debt service "floor" of 3% of the Town's current line item budget, as an expression of support for continued investment in the town's roads, utilities, public facilities and other capital assets. In order to maintain these benchmarks, the Town should schedule future debt service to coincide with maturing debt service. To maintain this floor, if debt service is projected to fall below 3% of the Town's current line item budget, that amount below shall be expended on one-time pay-as-you-go capital or shall be appropriated to the Capital Stabilization Fund.

Debt Maturity Schedule: As previously stated, Chapter 44 of the General Laws specifies the maximum maturity for bonds issued for various purposes. However, a town may choose to borrow for periods less than the statutory limit. The Town of Groton is committed to establishing an average debt maturity goal of 10 years. This can be accomplished through more aggressive amortization of new debt service and shortening terms for existing debt when the option to refinance a bond becomes available. (It should be noted that revenue supported debt service for water and sewer projects will not be subject to this objective.)

Debt Strategies

Alternative Financing Strategies: The Town will continually pursue opportunities to acquire capital by means other than conventional borrowing; such as grants and low- or zero-interest loans from state agencies, such as the Mass Water Pollution Abatement trust (MWPAT) or the MWRA.

Debt Issuance: The Town will work closely with the Town's Financial Advisor and Bond Counsel to ensure that all legal requirements are met and that the lowest possible interest rate can be obtained.



SELECT BOARD POLICY

Enterprises: Any debt issued for the benefit of the Town's enterprise funds is to be paid from service revenues, unless there is an explicit direction from Town Meeting to contribute General Fund support of the debt service.

Capital Planning: No projects are to be funded by debt authorized by Town Meeting unless those projects have been incorporated in to and vetted by the Town's capital planning process.

Lease-Purchase Financings - any lease purchase agreements, financings, etc., utilized by the Town shall be considered debt for the purposes of this policy and shall be subject to all the constraints cited herein.



SELECT BOARD POLICY

TOWN OF GROTON POLICY FOR THE FUNDING OF OTHER OBLIGATIONS

Introduction

Under Massachusetts General Laws, the Town is currently funding its unfunded pension liability through its participation in the Middlesex County Regional Retirement System. The Town also has the responsibility to fund its Other Post-Employment Benefits (OPEB) liability.

The Town will utilize the following policy towards that end:

Policy Guidelines

Independent Evaluation of Liability: The Town will have its liability measured by an outside consultant every second year; with interim evaluations done yearly for the purposes of updating the total liability.

Limitation of Retiree Health Care Costs: The Town has adopted the requirements of Section 18A of Chapter 32B, which serves to limit liability for retiree health insurance by utilizing the benefits of Medicare and thereby shifting some of the cost away from local funding.

OPEB Funding Plan:

PURPOSE

To provide the basis for a responsible plan for meeting the Town's obligation to provide other post-employment benefits (OPEB) to current and future retirees, this policy provides guidelines designed to ensure OPEB sustainability and achieve generational equity among those called upon to financially support OPEB, thereby avoiding transferring costs into the future. This policy is adopted in compliance with Governmental Accounting Standards Board (GASB 74/75) and Massachusetts General Law, Chapter 203C, §3 and Massachusetts General Law, Chapter 32B, §20.

APPLICABILITY

This policy encompasses OPEB-related budget decisions, accounting, financial reporting, and investment. It applies to the Select Board, Finance Committee and Town Manager in their budget decision making responsibilities. This Policy also applies to the OPEB related duties of the Finance Team members, including the Town Accountant, Town Treasurer-Tax Collector, Principal Assistant Assessor, Human Resources Director and Executive Assistant to the Town Manager.



SELECT BOARD POLICY

BACKGROUND

In addition to salaries, the Town of Groton compensates employees in a variety of other forms. Many earn benefits over their years of service that they will not receive until after retirement. A pension is one such earned benefit. Another is a set of retirement insurance plans for health and life. These are collectively referred to as other post-employment benefits or OPEB.

OPEB represents a significant liability for the Town that must be properly measured, reported, and planned for financially. As part of the long-range plan to fund this obligation, the Town established an OPEB Trust Fund, which allows for long term asset investment at higher rates of return than those realized by general operating funds. This fund is managed by the Town Treasurer.

POLICY

The Town of Groton is committed to funding the long-term cost of the benefits promised its employees. To do so, the Town will accumulate resources for future benefit payments in a disciplined, methodical manner during the active service life of employees. The Town will also periodically assess strategies to mitigate its OPEB liability. This involves evaluating the structure of offered benefits and their cost drivers while at the same time avoiding benefit reductions that would place undue burdens on employees or risk making the Town an uncompetitive employer.

A. Accounting and Reporting

The Town Treasurer, responsible for oversight of the investment portfolio, has designated Morgan Stanley as investment manager of the trust assets. The Treasurer will manage the fund's contributions and disbursements and monitor the account and investment activity reports. On an annual basis, the Finance Team will meet to review the Trust's investment policy to ensure conformance with the State's prudent investor laws, and to review investment strategy, performance and fees.

The Town Accountant will obtain actuarial analyses of the Town's OPEB liability every two years and will annually report the Town's OPEB obligations in financial statements that comply with the current guidelines of the Governmental Accounting Standards Board.

The Town Manager shall ensure that the Town's independent audit firm reviews compliance with the accounting and reporting provisions of this policy as part of its annual audits and will report on these to the Select Board.



SELECT BOARD POLICY

B. Mitigation

On an ongoing basis, the Town will assess healthcare cost containment measures and evaluate strategies to mitigate its OPEB liability. The Treasurer shall monitor proposed laws affecting OPEB and Medicare and analyze their impacts. The Treasurer shall also regularly audit the group insurance and retiree rolls and drop any participants found to be ineligible based on work hours, active Medicare status, or other factors.

C. Funding

To address the OPEB liability, decision makers shall analyze a variety of funding strategies and subsequently implement them as appropriate with the intention of fully funding the obligation. The Town shall derive funding to invest in the OPEB Trust from taxation, free cash, retained earnings, and any other legal form. Among strategies to consider for funding the obligation:

- Determine and commit to appropriating an annual portion of Free Cash and available Tax Capacity.
- Determine and appropriate annually the amount necessary to prevent the net present value OPEB Liability from increasing.
- When a new position is created, determine the OPEB liability for the position and appropriate annually the anticipated OPEB liability of the position, in addition to the annual cost of the position.
- When the Town's Unfunded Pension Liability is fully funded in 2035, the Town will appropriate such savings to the Town's OPEB Trust to reduce its OPEB Liability.



SELECT BOARD POLICY

TOWN OF GROTON POLICY FOR THE REVIEW OF BUDGET PERFORMANCE

Introduction

The Town Charter requires the Town Manager to present a balanced budget to the Select Board and the Finance Committee six months prior to the beginning of each fiscal year; in effect by January 1st. Prior to the formulation of the Budget, the Select Board, Finance Committee and Town Manager shall meet prior to October 1st to determine budgetary goals for the ensuing Fiscal Year. The initial budget is developed in conjunction with the Town's Department Managers and reviewed in several public meetings as well as formal public hearings, culminating in ratification by Town Meeting. The Town utilizes specific line items for its budget, each line considered a separate and distinct appropriation. In order to monitor expenditures and assure the integrity of the overall budget, regular review and management direction is required, as outlined in the policy guidelines below.

Policy Guidelines

Line Item Appropriation Review: Each Department Manager or elected/appointed Board/Commission is required to monitor expenditures, and local receipts revenue if applicable, relevant to that governmental area's operation. The Accounting Department will provide budget variance reports at least monthly as a management tool to aid periodic monitoring.

Total Budget Review: The Town Manager will review the monthly variance reports for all departments/cost centers; and the Town Accountant will provide ongoing oversight. There will be periodic presentation of the budget status to the Select Board and Finance Committee; this presentation to occur at least quarterly.

Reserve Fund: The Town will include a budgetary reserve fund equal to approximately 1% of the total general fund appropriations less the assessments to the district schools which will be under the management of the Finance Committee to account for extraordinary or unforeseen expenses.

Line Item Transfer: The budget will be reviewed twice each year by the Town Manager in conjunction with the Town Accountant and the Finance Committee for opportunities to re-balance the original budget. Such reviews will take place prior to the fall and spring annual town meetings and any transfers will be publically debated and subsequently ratified by Town Meeting.



SELECT BOARD POLICY

TOWN OF GROTON POST ISSUANCE COMPLIANCE POLICY

OBJECTIVE OF THE POLICY

The objective of this policy is to ensure compliance with federal tax law and regulations pertaining to the use of tax-exempt governmental purpose bonds and to the use of property, projects and equipment funded with tax-exempt governmental purpose bonds.

This document is to encompass the following:

- The use of bond proceeds (and the term "bond", except as otherwise indicated, includes notes, bonds and tax-exempt lease purchases issued by the Town);
- The use of property, projects, equipment, etc. funded with tax-exempt bond proceeds;
- The timely expenditure of bond proceeds;
- Compliance with arbitrage yield restriction rules and with the calculation and timely payment of arbitrage rebate payments, as required;
- Filing requirements;
- The reserve of funds in anticipation of a rebate payment requirement;
- Collection and retention of necessary documentation; and
- Resolution of problems.

RESPONSIBILITIES OF THE PARTIES INVOLVED

The Town Treasurer shall be responsible for implementing this policy. The Treasurer will be assisted by:

- The Town Accountant, who is responsible for recording expenditures and interest earnings and for reviewing and approving contracts entered into by the Town;
- The Town Manager, who is the Chief Procurement Officer, or a designated subordinate has ultimate responsibility for the implementation of Town capital projects and disposition of Town property; and



SELECT BOARD POLICY

- The Chief Procurement Officer, if other than the Town Manager, who has the responsibility for procuring service and management contracts and overseeing the acquisition and disposition of Town property.

It is the Treasurer's responsibility to convey to each party the Treasurer's expectations as to their performance relating to project implementation, project expenditures, documentation, and information required by the Treasurer to remain in compliance with applicable tax law. Since all the responsible parties participate in the issuance of Town bonds, the Treasurer will provide direction to those responsible parties during the process of issuing bonds, at the time of the delivery of bond proceeds, and after the delivery of bond proceeds but prior to the final maturity of the bonds,

SCOPE OF THE POLICY AND PROCEDURES

The following sections outline the scope of the policy and procedures for which the Treasurer is responsible:

Use of bond proceeds and bond funded property -

It is the Treasurer's responsibility to monitor and ensure the proper use of bond proceeds and bond funded property.

The proper use of tax-exempt bond proceeds and the proper use of bond-funded property, projects, equipment, etc., (hereafter "property"), will be confirmed and documented through Bond Counsel's review prior to the issuance of tax-exempt bonds and will be addressed in the legal opinion issued by Bond Counsel and in the Tax Certificate (or Non-Arbitrage Certificate) prepared by Bond Counsel as part of the final bond transcript.

There are further requirements associated with the proper use of bond financed projects and of the use of bond proceeds included in the Massachusetts General Laws and in the regulations imposed by the Department of Revenue regulations. Although these requirements are not part of federal tax law, the requirements do dictate how bond funded property is to be disposed of or how it might be used in a manner other than originally contemplated.

The continued proper use of property funded with tax-exempt bond proceeds will be monitored by the Treasurer through an annual reminder of such to appropriate Town officials and through the review of any Town proposals considering the change in use of the property or Town procurements relating to such property. The procurement of service contracts, management contracts and leases for the limited use of Town property should also be reviewed by the Treasurer. The Treasurer will be responsible for managing any remedial actions, if required,



SELECT BOARD POLICY

Timely expenditure of bond proceeds -

The Federal Tax Code sets explicit expectations relating to the expenditure of bond proceeds. There are certain "safe harbors" for small issuers. If expenditure expectations for small issuers are not met, the unexpended bond proceeds must be yield restricted. There are also expenditure thresholds to be satisfied for bonds issued where the Town cannot use the "small issuer" exemption. If these thresholds are not met, the Town may be required to rebate its positive arbitrage earnings to the Federal Treasury.

It is the responsibility of the Treasurer to review the expenditure requirements cited in the Tax Certificate and to monitor the expenditure of bond proceeds until all funds are expended.

Arbitrage yield restriction and rebate -

It is the responsibility of the Treasurer to manage yield restricted investments. It is the responsibility of the Treasurer to determine rebate exposure; to procure arbitrage calculation services; to make rebate payments, as required, to the Federal Treasury; and to prepare 8038-T forms for such purposes. It is also the responsibility of the Treasurer to reserve funds for such rebate payments, as appropriate, and to report the rebate liability to the Town's Independent Financial Auditor.

Filing requirements -

The proper filings of forms 8038-G and 8038-GC are essential with every tax-exempt financing. All 8038-G's and 8038-GC's are to be signed by the Town Treasurer. No other official in the Town is authorized to execute these forms.

It is the responsibility of the Treasurer to ensure rebate payments, if required, are made on a timely basis. Such payments must be made within 60 days of the maturity of a note; within 60 days of the fifth anniversary, and multiples thereof, of the issue of a bond; and within 60 days of the final maturity of a bond. The payment of a rebate is to be accompanied by and documented on the form 8038-T.

Documentation -

It is the responsibility of the Treasurer to ensure all proper documentation is produced and retained as required. Such documentation will include, but not necessarily be limited to, the following:

- Tax Certificates or Non-Arbitrage Certificates.



SELECT BOARD POLICY

- Note and Bond transcripts.
- Form 8038-G's and 8038-GC's.
- Projected expenditure cash flows prepared for each financing prior to issue.
- The record of the expenditure of funds.
- The record of the investment earnings on unexpended bond proceeds prior to full expenditure.
- Yield restricted investments, as required.
- Rebate calculations, rebate payments, and Form 8038-T, as required.
- The list of projected tax-exempt financings during each calendar-year.
- Management contracts.

If a problem occurs -

It is the responsibility of the Treasurer to address violations associated with any tax-exempt financing when violations are discovered. The violation may be addressed through the Voluntary Compliance Agreement Program (VCAP). Alternatively, remedial action may be required under Section 1.141-12 of the Internal Revenue Service regulations. The Treasurer shall consult with the Town's Bond Counsel and/or Financial Advisor as appropriate.

PROCEDURES TO BE FOLLOWED BY THE TREASURER

The following procedures are to be followed by the Treasurer. Procedures to ensure proper use of tax-exempt funds:

In the process of preparing for a bond or note sale, the Treasurer will provide information to Bond Counsel pertaining to the proper use of the property being acquired with tax-exempt funds. Prior to the distribution of the Preliminary Official Statement, the Treasurer shall meet with appropriate Town officials, including at minimum the Town Manager and the Select Board, to review the information provided to Bond Counsel, to review the intended use of the bond proceeds and the property funded and to determine whether there are any contemplated uses of the property that might be inconsistent with the use of tax-exempt funds. The Treasurer shall document this meeting in a memorandum to file.



SELECT BOARD POLICY

Procedures to ensure compliance with the use and expenditure of note and bond proceeds at the time of sale:

At the time of the sale of notes and bonds, it is assumed that the projected use of proceeds and the use of the property being funded are in compliance with the Federal tax code. It is reasonable to rely on the scrutiny of Bond Counsel and the documentation that accompanies each financing, based on the information provided to Bond Counsel.

With the completion of a financing, the Treasurer is to compile and maintain a separate file associated with the financing. This documentation will typically include the following:

- The bids results, the final numbers, and the quantitative rationale for the use of credit enhancement.
- The transcript for the financing, which, at minimum, should include the tax certificate (non-arbitrage certificate). The tax certificate should include a description of use of funds, the identification of the expenditure test to which the bonds are subject, and the arbitrage yield.
- The form 8038-G or 8038-GC.
- The projected expenditure cash flow by purpose, as provided to Bond Counsel prior to the issuance of the bonds. The cash flow is to be for each purpose, projecting the expenditure of funds on at least a semi-annual basis, until all funds are expended. If the bonds are subject to certain expenditure thresholds, the cash flow should present the amount of proceeds that should be expended at each threshold. The cash flow should be adjusted to reflect an issue amount that might be in excess of the amount originally included in the cash flow (for example, a large original issue premium).
- Any other notes prepared by the Treasurer, as applicable, relating to the monitoring of the expenditure of funds and use of the property.

The Treasurer shall establish one or more bank accounts for the purposes funded to allow for the tracking of the expenditure of fund so it is necessary that the account documentation be able to show every payment made by amount and date and every credit of interest earnings by amount and date. If all the purposes are co-mingled in one account, there should be a separate recording of expenditures and investment earnings by purpose by the Town Accountant.

As required under the Massachusetts General Laws, all interest earnings shall be credited and released to the General Fund when earned.

All such account documentation should be maintained for six years after final maturity of bonds.



SELECT BOARD POLICY

Procedures to monitor the rate of expenditure of bonds -

To monitor the expenditure of bond proceeds, the Treasurer shall perform the following review:

- At the end of each fiscal year, and within thirty days of the final maturity of any note or bond, the Treasurer shall review the expenditure account and check for compliance with the required expenditure thresholds.
- The Treasurer shall assess the likelihood of continued compliance with the expenditure thresholds, or if a threshold has not been met, assess the likelihood of positive arbitrage.
- If the Treasurer believes the expenditure thresholds have not been met and/or will not be met, and also expects there will be investment earnings in excess of the arbitrage yield, then the Treasurer is to reserve an amount estimated to represent a future rebate payment or, as applicable, to request an appropriation of Town Meeting for the rebate payment.
- The Treasurer is to continue to monitor expenditures at the end of each fiscal year, or at the maturity of an issue, until all funds are expended.
- If after the maturity of a note or bond, the Treasurer determines that a rebate is likely payable to the Federal Treasury, the Treasurer shall procure the services of a firm to calculate the rebate and thereafter make payment in a timely fashion.

Thus, in addition to the documentation compiled at the closing of the bond, the Treasurer shall add the following additional documentation:

- The record documenting expenditures until the next time a review is performed.
- As applicable, any rebate calculations performed.
- As applicable, any Forms 8038-T prepared.

When all the funds are expended, the Treasurer shall accumulate all appropriate documentation and retain it until six years after the final maturity of the financings that funded the property.

Procedures associated with the investment of bond proceeds -

Unless funds are subject to yield restriction, the Treasurer shall be responsible for the investment of bond proceeds as deemed appropriate. If investment contracts are purchased at the time of the delivery of bond proceeds, such contracts shall be procured under the scrutiny of Bond Counsel.



SELECT BOARD POLICY

Procedures associated with procurement of investments associated with a bond issue -

It is the responsibility of the Treasurer to ensure other investments made relating to a bond issue (such as investments purchased to fund an escrow for a current or advance refunding) are procured in accordance with applicable tax regulations.

Procedures to ensure compliance with the use of service contracts and management contracts -

The Chief Procurement Officer shall forward all Requests for Proposals for service and/or management contracts for review by the Treasurer. The Treasurer shall provide appropriate direction to the Chief Procurement Officer relating to private activity issues associated with service and management contracts. As required, the Treasurer shall request advice from the Town's Bond Counsel and/or Financial Advisor.

Procedures to ensure compliance with lease purchases -

At the beginning of each fiscal year, the Treasurer shall inform all Town Department Heads and other Town officials that no lease purchase contracts are to be entered into without the approval of the Treasurer. In addition, the Treasurer shall inform them that the forms 8038-G and 8038-GC are only to be signed by the Treasurer.

Procedures to ensure compliance with the change of use of tax-exempt bond funded property -

At the beginning of each fiscal year, the Treasurer shall present a memorandum to the Town Manager, to the Town Accountant, and to Town Department Heads reviewing the expected proper use of bond funded property and requesting any information as to the possible change in use or disposition of property. At any time during the fiscal year, if there is a change in use or disposition of property contemplated, the Town Manager shall inform the Treasurer of the proposal. As needed, the Treasurer shall consult with Bond Counsel and/or the Town's financial advisor relating to such proposal.

In the case where change in use is subject to Town Meeting approval, the Town Manager shall forward all Town Meeting articles relating to the change in use or sale of Town tax-exempt bond funded property for review by the Treasurer. The Treasurer shall provide appropriate direction to the Chief Procurement Officer relating to issues associated with the change in use of tax-exempt bond funded property. As required, the Treasurer shall request advice from the Town's Bond Counsel and/or Financial Advisor.



SELECT BOARD POLICY

Procedures to project calendar year schedule of note and bond issues -

At the beginning of each calendar year, the Treasurer shall prepare and/or update a list of all projected tax-exempt financings issued and expected to be issued during the then current calendar year. This record shall document representations made by the Town relating to the small issuer safe harbor status and/or the Bank Qualification of tax-exempt issues of the Town. At the beginning of the following fiscal year, the Treasurer shall review the list of financings and shall revise it accordingly.

Documentation attached hereto -

The following documentation is attached to assist in the direction, training, etc., of those parties identified with responsibilities:

- IRS Publication 4078, Tax-exempt Private Activity Bonds
- IRS Publication 4079, Tax-exempt Governmental Bonds



SELECT BOARD POLICY

Town of Groton Investment Policy

Introduction

Massachusetts General Laws, Chapter 44, Section 55B requires the municipal treasurer to invest all public funds except those required to be kept uninvested for the purpose of immediate distribution. These guidelines are intended to further the objective of securing the highest return that is consistent with safety of principal while meeting the daily cash requirements for the operation of Town's business, according to the following objectives:

Safety of principal is the foremost objective of the investment program. Investments will be undertaken in a manner that seeks to ensure the preservation of capital through the mitigation of credit risk and interest rate risk. These risks shall be lessened by diversification and prudent selection of investment of the security issuer or backer. Interest rate risk is the risk that the market value of the security will fall due to changes in general interest rates. Liquidity is the next most important objective. The overall investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. Since all possible cash demands cannot be anticipated, the treasurer shall carry out investment activities in a manner that provides for meeting unusual cash demands without the liquidation of investments that could result in forfeiture of accrued interest earnings, and loss of principal in some cases. Yield is the third, and last, objective. Investments shall be made so as to achieve the best rate of return, taking into account safety and liquidity constraints, as well as all legal requirements.

Investment Instruments

The Treasurer shall negotiate for the highest rates possible, consistent with safety principles, avoiding uncollateralized investment products. Unsecured bank deposits of any kind will be limited to no more than 1% of an institution's assets and no more than 10% of the Town's cash.

Diversification

Diversification should be interpreted in two ways: In terms of maturity, as well as instrument type and issuer. The diversification concept should include prohibition against over concentration of maturities, as well as concentration in a specific institution. With the exception of U.S. Treasuries or agencies, no more than 10% of the Town's investments should be invested in a single financial institution, except with the prior approval of the Town Manager and Select Board.



SELECT BOARD POLICY

Authorization

The Treasurer has authority to invest the Town's funds, subject to the statutes of the Commonwealth cited above.

Ethics

The Town Treasurer (and Assistant Treasurer) shall refrain from any personal activity that may conflict with the proper execution of the investment program or which could impair ability to make impartial investment decisions. Said individuals shall disclose to the Town Manager any material financial interest in financial institutions that do business with the Town. They shall also disclose any large personal financial investment positions or loans that could be related to the performance of the Town's investments.

Relationship with Financial Institutions

Financial institutions should be selected first and foremost with regard to safety. The Town should subscribe to and use one or more of the recognized bank rating services, such as Veribanc or Sheshunoff. Brokers should be recognized, reputable dealers. The Town shall require any brokerage houses and broker/dealers, wishing to do business with the municipality, to supply information and references sufficient to assure entering into a banking relationship.

The Investment of Trust Funds and Bonds Proceeds

Scope

This section of the policy applies only to funds that could be invested long-term (i.e. bond proceeds, trust funds and stabilization funds).

Bond Proceeds

Investment of Bond proceeds is governed by the same restrictions as general funds, with the additional caveat of arbitrage regulations.

Trust Funds

Trust Funds may be co-mingled and invested in any instruments allowed by Legal List issued by the Banking Commissioner. Each trust fund must be accounted for separately.

Stabilization Funds

The Stabilization Fund shall not exceed ten percent of the equalized valuation of the Town, and any interest shall be added to and become a part of the fund.



SELECT BOARD POLICY

POLICY ENDORSEMENT:

Chairman, Select Board

Town Manager

Town Treasurer

Town Accountant

Chairman, Finance Committee

**JANUARY – JUNE, 2020
SIX MONTH DURATION
GOALS OF THE GROTON SELECT BOARD**

**1. Housing Production Plan
Select Board Member Assigned –**

Goal: Work with Planning Board, Land Use Director and Housing Coordinator to review final Housing Production Plan and determine next steps to implement the Plan.

Measurable Benchmark: A meeting is scheduled with all stakeholders on the Housing Production Plan in early Spring. Implementation Plan is created and approved by June 30, 2020. Funds within the Community Housing “Bucket” of the Community Preservation Act should be reviewed and a determination should be made whether or not to leverage these funds to assist in the implementation of the Plan.

**2. Examine Zoning Use Regulations to Create More Affordable Housing
Select Board Member Assigned –**

Goal: A thorough review of the Town’s Zoning Regulations to determine where changes can be made to promote affordable housing should be completed in the Spring of 2020.

Measurable Benchmark: The Planning Board and Land Use Director should be invited into a workshop meeting with the Select Board to review all Zoning Regulations concerning housing with the intent to bring any proposed Zoning changes to the 2020 Fall Town Meeting.

**3. Boynton Meadows – Final Accounting
Select Board Member Assigned – Becky Pine**

Goal: The Select Board, in conjunction with the Affordable Housing Trust and Community Preservation Committee should review and create a report on the final accounting of the Town’s investment into the Boynton Meadows Project.

Measurable Benchmark: An Executive Session should be scheduled in the early Spring with the Community Preservation Committee and the Affordable Housing Trust to discuss what has been reviewed thus far with the project in an effort to create a final accounting report on the project. In addition, a determination whether or not to bring in Town Counsel to pursue legal action to protect the Town’s interest should be considered at this time as well. A decision on how to proceed should be made by June 30, 2020.

**4. Determine Future of Town's Participation in Community Preservation Act
Select Board Member Assigned –**

Goal:

Schedule Workshop with Community Preservation Committee and a Representative from the Community Preservation Coalition to review Town's participation in the Community Preservation Act.

Measurable Benchmark:

A workshop should be scheduled in Spring, 2020 with the Community Preservation Committee and Community Preservation Coalition to have a full discussion on the Town's participation in the Program. A review of the Town's contribution, along with a projection of State Reimbursement should be reviewed to determine if any changes to the Town's percentage (currently 3%) are warranted, including continuing in the program when the Surrenden Farm Debt Service is paid off.



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: Mark Haddad, Town Manager
FROM: Dawn Dunbar, Executive Assistant
DATE: December 13, 2019
RE: 2020 License Renewals – Alcohol, Common Victualler (CVL) & Class II

The following licenses require Select Board approval for renewal for calendar year 2019:

- **Groton House of Pizza, Theo Stefanakos, Manager**
Located at 129 Main Street
CVL & Entertainment
Hours of Operation Daily: 11:00 AM – 9:00 PM
Licenses to expire on December 31, 2020
- **Santi's Restaurant & Dairy Bar, dba Johnson's Restaurant & Dairy Bar, Richard Santiano, Manager**
Located at 164 Boston Road
CVL & Carry-In
Hours of Operation:
Summer Hours: Daily: 6:00 AM – 9:00 PM
Winter Hours: Sun 6:00 AM – 8:00 PM
Licenses to expire on December 31, 2020
- **Gilson Family Herb Enterprises, dba The Herb Lyceum, David Gilson, Manager**
Located at 368 Main Street
CVL & Carry-In
Hours of Operation: Daily 10:30 AM – 11:00 PM
Licenses to expire on December 31, 2020
- **Bruno Ferreira, dba Bruno's Pizzeria, Bruno Ferreira, Manager**
Located at 195 Main Street
CVL
Hours of Operation: Daily 9:30 AM – 8:30 PM
License to expire on December 31, 2020
- **Salt & Light, Café, Josiah & Linda Coleman, Manager**
Located at 159 Main Street
CVL & Entertainment
Hours of Operation: Mon - Fri 6:00 AM - 4:00 PM, Sat 7:00 AM – 4:00 PM
License to expire on December 31, 2020

- **Dolce Amar Sweets to Love, Raffaella Gutterman, Manager**
Located at 497 Main Street, Suite A
CVL
Hours of Operation: Wed – Sat 9:00 AM – 4:00 PM, Sun 8:30 AM – 2:00 PM
License to expire on December 31, 2020
- **NESSP Sai Canteen, Neelkanth Mishra, Manager**
Located at 99 Shirdi Way
CVL
Hours of Operation: Daily: 8:00 AM – 8:30 PM
License to expire on December 31, 2020

**SELECT BOARD MEETING MINUTES
MONDAY, DECEMBER 9, 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 regular meeting to order at 7:00pm adding they had just completed a work session. She then reviewed the agenda.

ANNOUNCEMENTS

Mr. Reilly thanked the first responders and the Highway Department for their hard work during the storm last weekend.

TOWN MANAGER'S REPORT

1. Mr. Haddad said that Reserve Officer Casey O'Connor had really proven herself as an Officer with the department over the last year. He said that the department had a vacancy adding that Chief Luth had recommended to him that she be appointed to the vacancy. He said that they were getting Officer O'Connor into the academy in January and asked the Board to ratify his appointment.

Ms. Pine made the motion to appoint Casey O'Connor as a Patrolman effective January 3, 2020. Mr. Degen seconded the motion. Ms. Pine said it was wonderful that they had diverse candidates. The motion carried unanimously.

2. Mr. Haddad said that they had a vacancy in the Land Use Department. He said that after interviewing 9 individuals, Kara Cruikshank rose to the top. He explained her qualifications and asked for her appointment to be ratified.

Mr. Giger moved to ratify the appointment of Kara Cruikshank to the Land Use Administrative Assistant position effective December 30, 2019. Ms. Pine seconded the motion. The motion carried unanimously.

3. Mr. Haddad said that they had a vacancy in the DPW due to a retirement. He said that Mr. Delaney and Mr. Conley interviewed candidates and brought Christopher Greathead forward for appointment. Mr. Haddad asked the Board to ratify his appointment.

Mr. Reilly made the motion to ratify the Town Manager's appointment of Christopher Greathead effective December 16, 2019. Mr. Giger seconded the motion. The motion carried unanimously.

Ms. Pine asked if they could be notified when there was a vacancy. Mr. Haddad said that he always notified the Board when a department head position was vacated but not staff level employees but he could let the Board know if they wished.

4. Mr. Haddad asked the Board to consider appointing Thomas and Lynda Pistorino to the Commission on Accessibility at the recommendation of the ADA Coordinator.

Ms. Pine made the motion to appoint Thomas and Lynda Pistorino to the Commission on Accessibility through June 30, 2020. Mr. Degen seconded the motion. The motion carried unanimously.

5. Mr. Haddad said that the CPC interviewed 2 applicants looking to fill the at-large-seat that was vacant by the passing of one of its members. Mr. Haddad asked the Board to appoint Carolyn Perkins to the CPC term to expire June 30, 2021 at the recommendation of the CPC.

Ms. Pine made the motion to appoint Carolyn Perkins to the CPC term to end June 30, 2021. Mr. Degen seconded the motion.

TAX CLASSIFICATION HEARING

Mr. Degen moved to re-open the tax classification hearing and postpone the discussion until the conclusion of the current discussion. Mr. Giger seconded the motion. The motion carried unanimously.

TOWN MANAGER'S REPORT - CONT.

Ms. Gilbert said that this was the Select Board appointment and asked the Board to consider her statements. *See attached statement made by Ms. Gilbert as the second candidate that was considered.*

Ms. Eliot said that she was a minority vote on the CPC. She said that she voted for Ms. Gilbert based on the diversity should would bring to the CPC. Ms. Manugian said that they would typically turn to the Committee for their recommendation. Mr. Degen asked how long it had been since Ms. Perkins had been on the CPC. Ms. Perkins said that when she resigned from the Planning Board, she had to give up her seat on the CPC. She said she enjoyed working with the committee, working on the projects and what the CPA did. Ms. Perkins agreed that there was something to be said about diversity. Mr. Degen asked the candidates if they were an advocate for keeping the surcharge at 3%, reducing it or eliminating it once Surrenden Farm was paid off. Ms. Perkins said that she liked the projects that the CPA was able to provide the Town. She said that it was valuable because of the state match to keep it at 3%. Ms. Gilbert said that the voters should decide adding that she was always in favor of receiving free money. She said that they needed to look at the operation budget and decide on whether to keep the CPA active. She said that the school piece was a huge missing part on this committee. Ms. Gilbert said that if they had an override next year which was supported by the tax payers then she would support keeping the CPA, if not, she would not keep it.

Mr. Haddad reminded the Board of the motion on the table.

The Board voted 3 in favor and 2 opposed. (Manugian and Reilly opposed)

TAX CLASSIFICATION HEARING

Present was Jonathan Greeno, Don Black and Garrett Boles.

Mr. Boles began with an explanation on how they arrived at the levy limit and how exclude debt was figured into the calculations above and beyond the levy limit. He said that they needed to raise \$33,732,200 in taxes. Mr. Boles said that Groton's tax base was 94% residential. He explained what potentially shifting the tax percentages to the commercial tax payers would mean to the residential tax base. Mr. Haddad said that if they were to shift the 1.5 CIP to the commercial tax base, they would be lowering the average residential tax bill by \$261 per year. Mr. Boles agreed with Mr. Haddad.

Mr. Haddad recommended adopting a residential factor of 1 and set both tax rates at \$17.38 with a tax levy at \$33,723,200.

Ms. Pine made a motion to recommended adopting a residential factor of 1 and set both tax rates at \$17.38 with a tax levy at \$33,723,200. Ms. Manugian seconded the motion. The motion carried unanimously.

ANNUAL LICENSES

Mr. Haddad read the licenses on Page 1 (see attached) and asked the Board to approve them as presented.

Ms. Manugian made the motion. Ms. Pine seconded the motion. The motion carried unanimously.

Mr. Haddad read the licenses on Page 2 (see attached) and asked the Board to approve them as presented.

Mr. Degen made the motion. Mr. Reilly seconded the motion. The motion carried unanimously.

Mr. Haddad asked the Board to approve a common victualler license for AL Prime.

Ms. Pine made the motion. Ms. Manugian seconded the motion. The motion carried 4-1 with Mr. Degen opposed.

Mr. Haddad read the remaining licenses on Page 3 (see attached) and asked the Board to approve them as presented.

Ms. Pine made the motion. Ms. Manugian seconded the motion. The motion carried unanimously.

TOWN MANAGER'S REPORT – CONT.

6. Mr. Haddad said that he was in the process of developing the Town's Fiscal Year 2021 Capital Plan as required by the Charter. He said that the amount of the requests exceeded the available funds in the Town's Capital Stabilization Fund. Mr. Haddad said that in an effort to try to address some of the items, he was recommending that the Town change the way it was financing the new Fire Truck purchased last year. He said that they had previously recommended that the Town use the State House Note program to finance the Fire Truck over five years. This equated to a \$140,000 annual payment, with this amount coming from the Capital Stabilization Fund. He said that they were planning on going out to the Bond Market in February, 2020 to permanently finance the DPW Building and Library Roof projects. Mr. Haddad said that he would like to include the Fire Truck in the Bond Issue and pay off the truck over twenty years, instead of five. He said that this would reduce the annual payment to approximately \$28,000 and be paid out of the Town's Debt Service Budget. He said that they had retired some debt and this could be added to the budget in FY 2021 without increasing the Budget. Mr. Haddad said that in order to permanently finance the Fire Truck and pay it back over 20 years, he needed the Select Board to vote that the useful life of the Truck was at least 20 years adding that they ordinarily keep a Fire Truck for 20 to 25 years.

Mr. Giger moved to declare the life of the new fire truck authorized at the Spring 2019 Town Meeting be declared as a useful life of greater than 20 years. Ms. Manugian seconded the motion.

Mr. Haddad said it would cost approximately \$65K more to extend it over 20 years. Mr. Degen said he contacted Mr. Haddad this morning. He said that he was the mover of the motion at Town Meeting for the financing. Mr. Degen said that there was wording in the motion that allowed them to change how they financed this. Mr. Degen said that he found it disingenuous to the taxpayers to do this adding it was not how it was presented to Town Meeting. Mr. Reilly said he would like to see them settle it himself. Ms. Manugian said that it helped with revenues moving forward. She said it would be more helpful looking at a proposal as a whole and not discussing it piecemeal. Mr. Haddad said that if they approved this tonight, it would give him the opportunity to bond this in February. He said it would give him a lot of flexibility right now if they voted to approve this. Mr. Degen said that it was difficult to stop a train once it was moving. He said he was extremely uncomfortable with a debt burden right now. Ms. Pine said she wasn't sure what the capital plan looked like before they made any final decisions adding she was okay with declaring the useful life.

Mr. Robertson said that she would support the 20 years adding that by doing this they would look at other options. He said it was important to do that this year. Mr. Reilly said that if it would benefit them to look at payment options, he didn't think it was disingenuous like Mr. Degen said. He said that this was pieces of a whole adding it sounded like it would bring the budget in line. Ms. Pine asked if Mr. Haddad needed a vote that night. She said she was hearing that they agree with declaring the useful life. Mr. Haddad said that they could not bond the truck without a vote. He said he could provide them with the capital plan by December 31st and they could vote before February if they wanted to bond the truck. Mr. Degen asked if they could use money out of stabilization over the next few years and replenish it out of free cash. Mr. Haddad said he was being pushed to bump up estimated receipts which meant that there wouldn't be the free cash that they had generated in the past. He said that they needed to show Wall Street that they had the 5% put away in stabilization for the Florence Roche bond issue.

Pine-aye; Manugian-nay; Degen-nay; Reilly-aye; Giger-aye. The motion carried 3-2 in favor.

7. Mr. Haddad said that they were in the process of finalizing the operating budget. He said that he had a meeting with the School Department scheduled for Wednesday to show them the numbers and see where they were at. He said he would have a better update for them next Monday. Mr. Giger said that the School Department had not yet declared what they were looking at budget wise like the Town had. He said that splitting the deficit was not something he had

heard being discussed adding he thought they needed to stand firm on that. Mr. Giger said that he remained concern that they asked for a copy of their expenditures for FY19 and they hadn't received it. Ms. Manugian said that their schedule was a little off from the Town. Mr. Haddad said that there had been a lot of collaboration between the schools and town and felt as thought that would continue.

OTHER BUSINESS

Mr. Haddad asked the Board to authorize himself and one member of the Board to sign the payroll and expense warrants for the next 30 days when they were not available to.

Mr. Degen moved that pursuant to 3.2.2 (iv) of the newly approved Charter that John Giger and the Town Manager sign both expense and payroll warrants through January 8, 2020. Ms. Manugian seconded the motion. The motion carried unanimously.

ON-GOING ISSUES

A: Mr. Haddad said that they paid the final contractor bill with the exception of the retainage. He said he was hoping to have the final accounting to them as soon as he could.

B: Mr. Haddad said that he, Mr. Robertson and Mr. Degen would be meeting with the Friends of Prescott on Thursday.

C: Mr. Haddad said that they received good news on the PFAS testing. He said it was not an issue right now. Ms. Pine said that they had asked for a conversation on the cost sharing for this. Mr. Haddad said that he put in his operating budget a proposed solution under major initiatives for them to debate and discuss. He said that there was no way they could implement it in FY21 though. Ms. Manugian said that they were waiting to hear from Town Counsel on whether this could be done in Executive Session. There was a discussion on the need for the DEP consent order. Ms. Manugian said that they had Water Commissioners, a separate entity, moving forward with a possible solution based on information they didn't have yet. Mr. Giger said that they had an oversight responsibility.

D: Mr. Haddad said that they would be holding public hearings in January and February on the MS4 permit. He said they are putting together what they need to comply and get cost estimates.

E: Mr. Haddad said he sent out an example bylaw last week but wasn't sure where the BOH was at with the polystyrene containers.

F: Mr. Haddad said that the Green Communities application was submitted on November 22nd. Ms. Pine asked why Prescott was not included. Mr. Haddad said that that was because the building was leased out and not under the Town's control citing Hazel Grove as an example. Ms. Pine had some additional questions.

G: Mr. Haddad said that there was a lot going on with Florence Roche and would be updating the Board.

H: Mr. Haddad said that because of the snow, the Library Roof had some minor leaks which the contractor was taking care of.

I: Mr. Haddad said that the Highway Garage project was moving along nicely.

MINUTES

Mr. Degen moved to approve the minutes of November 25, 2019. Ms. Pine seconded the motion. The motion carried unanimously.

Ms. Manugian adjourned the meeting at 9:09pm.

Approved: _____
John Reilly, Clerk

_____ respectfully submitted:
Dawn Dunbar, Executive Assistant

Date Approved:

It is my perspective that this is your appointment, much like the Conservation Commission, Historical Commission, Parks Commission and Planning Board have designated their members to the Community Preservation Committee; this is the Select Board's appointment.

With that in mind, I respectfully ask the Select Board to consider what I am sharing with you when making your appointment to the Community Preservation Committee.

The Community Preservation Plan, recently released on September 23, 2019 is based on two major town documents, the 2011 Groton Master Plan and the 2012 Groton Open Space and Recreation Plan. I would like to reference those documents as to why I believe I would be an asset to the Community Preservation Committee.

On Page 2 (Introduction Page) of the 2011 Master Plan, "The Groton Master Plan is a plan to guide Groton's future by balance economic opportunity and social equity with protecting the natural resources on which the town and its region depend". It continues with a list of elements that should be included in the Master Plan. One of those areas is Community Facilities. It reads, "Community Facilities an inventory of Groton's municipal and school facilities, focusing on building, public grounds and non-transportation infrastructure; a review of the size and organization of Groton's local government and inter-local or regional affiliations an assessment of existing and near term needs and recommendations to address facilities and service demands as the town grows and its population continues to change". I am the candidate that will bridge the gap that current exists between our Groton municipal and the schools through experience of serving on the Groton Dunstable School Committee.

On page 17 of the 2012 Open Space & Recreation Plan, "In Groton, the largest age cohort currently is school age children (age 5-19 years). Though larger in absolute members than it was in 2000, this age group is roughly the same proportion of the general population as a decade ago. Although this age group will decline as the "Echo Boom" generation (children of the Baby Boom generation) gets older, in-migration will probably keep its numbers relatively high because Groton is such an attractive place for families." I am the best candidate to represent one of the largest cohorts in our town. I have already proven my ability to advocate for our youngest residents of Groton while also being mindful of the expense to taxpayers through finding efficiencies, requiring sustainable plans and collaborating with not only our Groton Municipal Leaders but also our Dunstable Municipal Leaders.

It was expressed at the Community Preservation Committee that you can't just approve the projects you like, there is a process that is followed. I can only assume there was concern that a new member doesn't have the experience to understand how a project is approved for recommendation by the Community Preservation Committee to Town Meeting. I will share with the Select Board what I shared with the Community Preservation Committee.

While serving on the Groton-Dunstable School Committee our members serve on various subcommittees and working groups that are required to follow a process and make recommendations based on that process.

As such you are not permitted to approve the path forward you "like" you must follow the process, regardless of personal preference. As a wife of a Local Teamster 25 Union Worker that had lived many years under a roof was solely paid for by his paycheck while I was trying to get my first business off the ground, I can tell you that the decision to outsource custodial services that resulted in the release 19 District employees was incredibly difficult and still haunts me today. I am very familiar with the importance of a process and have shown that I can make difficult decisions through following process.

Lastly, the Community Preservation Committee expressed appreciation for having two valued candidates. They ultimately voted to recommend the candidate to the Select Board that had previous experience of already serving on the Community Preservation Committee. The last time I had put my name forward to volunteer to serve on the Capital Planning Committee it was expressed by both Josh Degen and Becky Pine that although I was well qualified a fresh set of eyes was a strong determining factor for your decision to appoint another candidate. I ask both Josh and Becky to carry forward that same philosophy and allow me to utilize my unique set of skills, knowledge and that fresh pair of eyes as a new member of the Community Preservation Committee.

Thank you for your consideration, I appreciate the time to share this information with you.

Marlena Gilbert



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: Mark Haddad, Town Manager
FROM: Dawn Dunbar, Executive Assistant
DATE: December 6, 2019
RE: 2020 License Renewals – Alcohol, Common Victualler (CVL) & Class II

The following licenses require Select Board approval for renewal for calendar year 2019:

- **Omahi Realty, LLC, dba Boston Road Market, Piyush Patel, Manager**
Located at 871 Boston Road
All Alcohol Package Store & CVL
Hours of Operation: Mon to Sat 8:00 AM – 11:00 PM; Sun 10:00 AM – 11:00 PM
Licenses to expire on December 31, 2020
- **Groton Market, Inc., John Madigan, Manager**
Located at 235 Main Street
All Alcohol Package Store
Hours of Operation: Mon to Sat 9:00 AM - 9:00 PM, Sun 11:00 PM - 6:00 PM
License to expire on December 31, 2020
- **Marchand, Denis H. & Estelle C., dba Craven's Package Store, Denis H. Marchand, Manager**
Located at 777 Boston Road
All Alcohol Package Store
Hours of Operation: Mon to Sat 8:00 AM - 11:00 PM, Sun 10:00 AM - 11:00 PM
License to expire on December 31, 2020
- **Filho's Cucina, Inc., dba Filho's Cucina, Oswaldo Filho, Manager**
Located at 235 Main Street
CVL & Carry-In
Hours of Operation: Mon to Thurs 11:00 AM – 8:00 PM, Fri & Sat 11:00 AM – 9:00 PM, Sun 4:00 PM – 8:00 PM
Licenses to expire on December 31, 2020
- **Main House, Inc., Chang Wen Huang, Manager**
Located at 495 Main Street, Unit 3C
CVL
Hours of Operation: Sun to Sat 11:00 AM – 10:00 PM
License to expire on December 31, 2020
- **FJ Catalano Enterprises, Inc., dba Dunkin Donuts-Groton Center, Steve Catalano, Owner**
Located at 133 Main Street
CVL
Hours of Operation: Sat-Sun 6:00 AM – 7:00 PM
License to expire on December 31, 2020

- **Courtney's Donuts, LLC, dba Dunkin Donuts-Groton Forge, Steve Catalano, Owner**
 Located at 3 Forge Village Road
 CVL
 Hours of Operation: Daily 6:00 AM – 8:00 PM
 License to expire on December 31, 2020
- **Courtney's Donuts, LLC, dba Dunkin Donuts-Groton Haffners, Steve Catalano, Owner**
 Located at 318 Main Street
 CVL
 Hours of Operation: Daily 6:00 AM – 7:00 PM
 License to expire on December 31, 2020
- **Groton Towing, Inc., Robert Olson, Manager**
 Located at 455 Main Street
 Class II
 Hours of Operation: Mon-Fri 8:00 AM – 6:00 PM; 24/7 for towing
 License to expire on December 31, 2020
- **Gibbet Hill Grill LLC, dba Gibbet Hill Grill Restaurant and The Barn at Gibbet Hill Function Hall, Martha Lisio, Manager**
 Located at 61 Lowell Road
 All Alcohol Restaurant License (2) & CVL (2)
 Hours of Operation (Barn & Grill): Mon-Sun 11:00 AM – 1:00 AM
 License to expire on December 31, 2020
- **Groton Medical Wellness Spa, LLC, dba Evans Energy Wellness Café, Jean Nordin Evans, Manager**
 Located at 493 Main Street
 CVL
 Hours of Operation: Mon to Thurs 8:00 AM - 6:00 PM, Fri 8:00 AM – 5:00 PM, Sat 10:00 AM – 3:00 PM
 License to expire on December 31, 2020
- **Seven Hills Pediatric Center, Holly Jarek, Manager**
 Located at 22 Hillside Ave
 CVL
 Hours of Operation: 24/7
 Licenses to expire on December 31, 2020
- **Masa, Inc., dba Ixtapa Grill & Cantina, Eric Brambila, Manager**
 Located at 765 Boston Road
 All Alcohol Restaurant & CVL
 Hours of Operation: Sun to Thurs 11:00 AM - 10:00 PM, Fri & Sat 11:00 AM - 11:00 PM
 Licenses to expire on December 31, 2020
- **Shaw's Supermarkets, Inc., dba Shaw's Supermarket #7627, Mike Ricciardi, Manager**
 Located at 760A Boston Road
 CVL
 Hours of Operation: Mon to Sat 7:00 AM - 10:00 PM, Sun 7:00 AM – 9:00 PM
 License to expire on December 31, 2020
- **Blackbird Café, Inc., dba Blackbird Café, Katie Kenney, Manager**
 Located at 491 Main Street
 CVL
 Hours of Operation Daily: 6:00 AM – 4:00 PM
 License to expire on December 31, 2020
- **Country Butcher & Deli, Inc., Kenneth Demers, Manager**
 Located at 68 Boston Road
 CVL
 Hours of Operation: Mon-Wed 10:00 AM–6:00 PM, Thurs-Fri 10:00 AM–7:00 PM, Sat 10:00 AM–5:00 PM
 License to expire on December 31, 2020

- **RiverCourt Residences, Richard Kendall, Manager**
 Located at 8 West Main Street
 CVL
 Hours of Operation: 24/7
 License to expire on December 31, 2020
- **The Natural Market, Inc., dba The Natural Market, Joan Reardon, Manager**
 Located at 148 Main Street
 CVL
 Hours of Operation: Mon to Sat 9:30 AM to 6:30 PM, Sun 11:00 AM to 5:00 PM
 License to expire on December 31, 2020
- **Energy North Incorporated., dba: Haffner's 3120, Ruth Fitcher, Manager**
 Located at 318 Main Street
 CVL
 Hours of Operation: Sun to Sat 6:00 AM – 10:00 PM
 License to expire on December 31, 2020
- **128 Main Street, LLC; dba: The Groton Inn & Forge & Vine; Patricia Anne Thompkins, Manager**
 Located at 128 Main Street
 All Alcohol Restaurant (2), CVL (2), Entertainment (2) and Sunday Entertainment (2)
 Hours of Operation: Mon-Sat 8:00 AM – 1:00 AM, Sun 10:00 AM – 1:00 AM (Groton Inn & Forge & Vine)
 License to expire on December 31, 2020
- **GPH Pub, LLC, dba: The Groton Publick House Pub and Eatery, Christopher Frothingham, Manager**
 Located at 94 Lovers Lane
 All Alcohol Restaurant (2) and CVL (2)
 Hours of Operation: Daily 10:00 AM – 1:00 AM (Restaurant & Function Hall)
 License to expire on December 31, 2020
- **Station House Restaurant, LLC, dba: The Station House, Andrew L. McElroy, Manager**
 Located at 20 Station Ave
 All Alcohol Restaurant & CVL
 Hours of Operation: Mon-Sat 8:00 AM – 12:00 AM; Sun 10:00 AM – 12:00 AM
 License to expire on December 31, 2020
- **A.L. Prime Energy, Mark Shiekhabdou, Manager**
 Located at 619 Boston Road
 CVL
 Hours of Operation: Mon-Sat 5:00 AM – 10:00 PM, Sun 6:00 AM – 9:00 PM
 License to expire on December 31, 2020