

Select Board Meeting Packet

April 26, 2021

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*
Rebecca H. Pine, *Clerk*
John R. Giger, *Member*
John F. Reilly, *Member*

Town Manager
Mark W. Haddad

**SELECT BOARD MEETING
MONDAY, APRIL 26, 2021
AGENDA
VIRTUAL MEETING
BROADCAST ON ZOOM AND THE GROTON CHANNEL
PURSUANT TO GOVERNOR'S EXECUTIVE ORDER
CONCERNING THE OPEN MEETING LAW
ZOOM MEETING ID: 848 6699 9007**

- 7:00 P.M. **Announcements and Review Agenda for the Public**
- 7:05 P.M. **Public Comment Period**
- I. 7:10 P.M. **Town Manager's Report**
1. **Select Board's Agenda Schedule**
 2. **Address Any Changes in Emergency Protocols – Update on Town Action**
 3. **Review Any New Information from the Commonwealth**
 4. **Approve Police Department Rules and Regulations**
 5. **Approve for Distribution 2021 Annual Election Ballot Information Booklet**
 6. **Review Appraisal - Country Club Easement for Sewer Connection to 227 Boston Road**
 7. **Amend Prescott Lease to Allow for Use of Rear Lawn Area**
 8. **Approve Annual Fuel Storage Permits**
 9. **Review Town Meeting Motions – Review Article Assignments**
 10. **Continue Review of Existing Committees – Determine Next Steps**
 11. **Review of Fiscal Year 2021 Third Quarter Financials**
 12. **Update on Select Board and Town Manager 2021 Goals and Objectives**
 13. **Update from Town Manager on FY 2022 Proposed Budget**
 14. **Proposed New Meeting Schedule Through the Summer**

OTHER BUSINESS

ON-GOING ISSUES – For Review and Informational Purposes

- A. **Water Department – Manganese Issue – PFAS Issue**
- B. **Polystyrene Containers**
- C. **Green Communities Application and Implementation**
- D. **Florence Roche Elementary School Feasibility Study**

SELECT BOARD LIAISON REPORTS

- II. **Minutes: Virtual Meeting of April 12, 2021**

ADJOURNMENT

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



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Town Manager
Mark W. Haddad

To: *Select Board*

From: *Mark W. Haddad – Town Manager*

Subject: *Weekly Report*

Date: *April 26, 2021*

1. Other than the Town Manager's Report and a review of the On-going Issues List, there is nothing specifically scheduled on Monday's Agenda.
2. As of the writing of this report, I have no new updates on our Emergency Protocols. We continue to operate under the protocols approved by the Board last May. If necessary, I will have an update at Monday's meeting.
3. The State has changed the way they provide the weekly health report. I will have an update at Monday's meeting as to the current status of Groton. To remind the Board, it is our policy that once we achieve "green" status for two consecutive weeks, we will reopen Town Hall to the public and move away from "Appointment Only".
4. As you are aware, the Police Department has been working for the last several years in becoming an Accredited Department. Part of the process requires an update to the Department's Rules and Regulations to conform with all current laws, practices and policies. Enclosed with this report for your review and approval are the proposed Rules and Regulations. Police Chief Michael Luth will be in attendance at Monday's meeting to answer any questions the Board may have.
5. Enclosed with this report is the May 25, 2021 Ballot Question Information Booklet. As you are aware, the Town adopted M.G.L., c. 53, §18B which requires the Select Board to print and mail to each household where a registered voter resides information relating to each question that will appear on the town election ballot. The Town Clerk, in consultation with Town Counsel, has prepared the document that I would respectfully request that the Board approve and issue at Monday's Meeting. Please note that: a) the question explanation was drafted by the Town Clerk, with review and edits provided by me and David Saindon (our OPM); b) the "For" argument was prepared by proponents of the question and cannot be changed; and, c) the "Against" argument was revised and approved by Town Counsel, based on a draft submitted by the Town Clerk (no one came out against the question) and cannot be revised, unless approved by Town Counsel as he is designated by statute to create the argument if no opponents step forward. Town Clerk Michael Bouchard will be in attendance at Monday's meeting to answer any questions the Board may have.

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Weekly Report
April 26, 2021
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6. Enclosed with this report is the Appraisal provided by Kevin Lindemer for the easement through the Country Club for the Sewer Connection to 227 Boston Road. Mr. Lindemer will be in attendance at Monday's meeting to answer any questions the Board may have concerning this Appraisal.
7. In addition to the building and parking lot, the Friends of Prescott would like to expand the area they lease from the Town to include the open field behind the building. Their current insurance policy covers this area and we have checked with our insurance carrier and that area is covered as well. In order to allow this, the Select Board needs to amend the description of premises in the lease to read as follows:

PREMISES: The three-story building, including the rear open space of the property, known as the Prescott School, located at 145 Main Street, Groton, Massachusetts

I would respectfully request that the Board approve this amendment at Monday's meeting.

8. Enclosed with this report are the annual Fuel Storage Licenses that require approval by the Select Board. I would respectfully request that the Board approve these Licenses at Monday's meeting.
9. With Town Meeting on Saturday, I have drafted all the motions for the meeting. These Motions have been reviewed and approved by both Town Counsel and Bond Counsel. They are enclosed with this report for your review. I would like to spend a few minutes at Monday's meeting reviewing the motions with the Board to explain how the consent motions will work, along with a review of the Article Assignments. We can discuss this in more detail at Monday's meeting.
10. As you are aware, Select Board Chair Alison Manugian has been working on a review of the existing Committees to determine which Committees should continue, be disbanded, or be moved to an inactive list. Enclosed with this report are documents containing various recommendations prepared by Alison. We can discuss this in more detail at the meeting.
11. I have scheduled time on the Agenda for the Board to review the Fiscal Year 2021 Third Quarter Financials. Enclosed with this report are the financials as prepared by the Town Accountant. I would like to take a few minutes at Monday's meeting reviewing these with the Board.
12. As is our practice when reviewing the quarterly financials, I have set aside time for the Board to review the status of your FY 2021 Goals. Enclosed with this report is a status update on the goals. We can discuss this in more detail at Monday's meeting.
13. I have no update on the Fiscal Year 2022 Budget as of the writing of this report. I will provide the Board with any necessary update at the meeting.

**Select Board
Weekly Report
April 26, 2021
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14. With Town Meeting on Saturday, May 1st, the meeting schedule previously provided needs to be updated through the Summer. To that end, I would recommend the following schedule:

Monday, May 3, 2021	No Meeting
Monday, May 10, 2021	Regularly Scheduled Meeting
Monday, May 17, 2021	No Meeting
Monday, May 24, 2021	Regularly Scheduled Meeting
Monday, May 31, 2021	No Meeting (Memorial Day Holiday)
Monday, June 7, 2021	Regularly Scheduled Meeting
Monday, June 14, 2021	No Meeting
Monday, June 21, 2021	Regularly Scheduled Meeting
Monday, June 28, 2021	Regularly Scheduled Meeting
Monday, July 5, 2021	No Meeting (July 4 th Holiday)
Monday, July 12, 2021	Regularly Scheduled Meeting
Monday, July 19, 2021	No Meeting
Monday, July 26, 2021	Regularly Scheduled Meeting
Monday, August 2, 2021	No Meeting
Monday, August 9, 2021	Regularly Scheduled Meeting
Monday, August 16, 2021	No Meeting
Monday, August 23, 2021	Regularly Scheduled Meeting
Monday, August 30, 2021	No Meeting
Tuesday, September 7, 2021	Regularly Scheduled Meeting

We can discuss this proposed Schedule in more detail at Monday's meeting.

MWH/rjb
enclosures

Groton Police Department



Rules & Regulations

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MANUAL OF RULES AND REGULATIONS
FOR THE GOVERNANCE OF THE
POLICE DEPARTMENT
of
THE TOWN OF GROTON
MASSACHUSETTS

1.0 - AUTHORITY

This Manual of Rules and Regulations for the government of the Police Department of the Town of Groton is issued by the Chief of Police pursuant to the authority contained in section 97A of Chapter 41 of the General Laws of the Commonwealth of Massachusetts.

A copy of this Manual was delivered to the Select Board on April 26, 2021 and to Town Counsel on March 16, 2021.

The effective date of these Rules and Regulations shall be April 26, 2021 and they shall remain in full force and effect until amended or rescinded.

Approved by:
Alison Manugian, Chair
Select Board

Issued by:
Michael F. Luth
Chief of Police

2.0 - RECEIPT

Officers shall subscribe their names to the following agreement:

I hereby acknowledge receipt of a copy of the Manual of Rules and Regulations for the governance of the Groton Police Department.

Date: _____

Signature of Officer

Issued By:

Signature of Issuing Officer or Witness

(Two copies - one to remain in Manual and the other to be filed in the officer's personnel folder.) [1.1.2]

2.0 - RECEIPT

Officers shall subscribe their names to the following agreement:

I hereby acknowledge receipt of a copy of the Manual of Rules and Regulations for the governance of the Groton Police Department.

Date: _____

Signature of Officer

Issued By:

Signature of Issuing Officer or Witness

(Two copies - one to remain in Manual and the other to be filed in the appropriate department file such as the officer's personnel folder.)

[1.1.2]

This copy to remain in employee personnel file.

3.0- INTRODUCTION [26.1.1]

Law enforcement professionals, both sworn and non-sworn, have a unique role in today's society. The powers and authority granted to law enforcement professionals are substantial. No other group has the right to enter a citizen's home or place of employment to search and make arrests. Only the police may stop a motor vehicle, detain persons on the street, and engage in interrogations. The use of deadly force alone makes law enforcement officers unique.

As with any granting of authority, there comes an accompanying responsibility. For law enforcement professionals and their non-sworn staff, it involves, at a minimum, the adherence to law and the fair and impartial exercise of such authority. Officers learn from their earlier days in the basic academy that they have **discretion** in when and how they exercise their lawful authority. They are taught that the ethical performance of their duties is essential to ensure both departmental integrity and essential public support and confidence.

Many expectations of police conduct "goes without saying". Certainly, law enforcement professionals, both sworn and non-sworn, must obey the law, exercise their responsibilities within constitutional guidelines, and obey lawful orders. However, the establishing of a manual of rules and regulations is a time-tested tradition in police departments. It is only fair that law enforcement professionals have some way of knowing in advance what is expected and what conduct is prohibited. Many forms of conduct that are "unbecoming a police officer" are known from common sense, learned during training, or on the job. However, when this is not the case, or where a particular action is either required or prohibited, it is helpful to spell it out in a manual such as this.

Law enforcement is at the same time, one of the most demanding, yet one of the most rewarding professions. The role of a police officer in a democratic society is an ever changing one. The training an individual receives at the police academy is but a first step in an on-going process of education and training which will span an officer's career. This department is committed to making in-service and specialized training available to its officers, consistent with statutory mandates and subject to municipal appropriation. Officers are encouraged to pursue degree programs in law enforcement or related fields as

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well. This Manual of Rules and Regulations, along with the Department's Policies and Procedures Manual, periodic general or special orders and memoranda, and applicable job descriptions, should assist police officers in remaining aware of what is expected of them.

The quasi-military nature of a police agency is one of its time-tested traditions. A rank structure and a chain of command have proven an essential component, especially in an organization involved in dangerous and even life-threatening activities. The need for camaraderie and team work is evident to the experienced law enforcement professional. Our distinctive appearance, including a uniform and grooming standard, help foster *esprit de corps* and security among members of the department, as well as recognition and confidence among members of the public.

The standard of conduct expected of law enforcement professionals, both sworn and non-sworn, is often higher than that demanded of other municipal employees. We recognize this in accepting appointment to our chosen profession. When the needs of public confidence require, we are held to a high ethical standard which dictates the avoidance of even the appearance of impropriety. Likewise, we acknowledge the need for reasonable restrictions on our off-duty conduct, especially where it reflects on our profession or the department.

The department is aware of its labor relations obligations. It is prepared to bargain with the appropriate bargaining representative(s) over any rules that involve or impact upon mandatory subjects of bargaining.

This Manual will generally serve as the basis for departmental discipline. It does not attempt to, nor could any such document, cover every possible situation. It attempts to outline the minimal level of conduct expected of each officer. Familiarity with its contents is required. On a more positive note, however, officers are encouraged to use this Manual as part of their overall training experience. They should endorse the ethical standards and commit themselves to a code of conduct befitting members of our noble profession.

An effort has been made to make the manual gender neutral. Where appropriate, the masculine will include both genders and the singular and plural are interchangeable. Any term used to identify an employee of the department shall pertain to all members if applicable to their position and function. The rules and regulations of the Groton Police

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Department shall govern the day-to-day activities of all employees, civilian and sworn, where applicable.

Whenever this Manual refers to such things as permission or approval of the Chief, this will refer to his/her designee when, from time to time, the Chief authorizes others to act on his or her behalf in appropriate circumstances. Use of the term Commanding Officer or superior officer may occasionally be used interchangeably.

The Law Enforcement Code of Ethics is a time-honored tradition among members of our profession. Its inclusion in this Manual is meant to remind officers of the goals and objectives which are consistent with our professional calling.

It is one sign of a true *profession* that it has a code of conduct concerning voluntarily adopted ethical standards. Ours is no exception. This department, and indeed our community, expects officers to adhere to this code of conduct.

4.0 PROFESSIONAL CONDUCT AND RESPONSIBILITIES

The police are the most visible and most readily accessible representatives of local government. They respond to calls for assistance of a diversified nature and are expected to resolve a wide variety of community problems as they occur. Police officers are professionals, and, as such, are expected to maintain exceptionally high standards in the performance of their duty while conducting themselves at all times, both on and off duty, in such a manner as to reflect favorably upon themselves and the department.

Effective police operations require loyalty to the department and to one's associates, maintaining a genuine spirit of cooperation and rendering appropriate assistance to another police officer or citizen exposed to danger or in a situation where danger may be lurking.

To accomplish these purposes, the professional responsibilities of police officers, within their area of jurisdiction, include such things as the following functions:

- a) The protection of life and the safeguarding of property;
- b) The prevention and control of crime;
- c) The investigation of crime, the apprehension of criminal offenders and the recovery of stolen property;
- d) The preservation of public peace and good order;
- e) The immediate response to public emergencies;
- f) The creation of a sense of safety and security for the entire community through crime prevention, patrol and community policing;
- g) The accomplishment of all police objectives within the law and the constitutional guarantees of all citizens;
- h) The performance of such other police related services, duties, functions and responsibilities required of the officer by the department and/or the community;
- i) The advancement of a cooperative relationship with the general public; and
- j) The creation of awareness through the implementation of educational programs.

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Public scrutiny, and sometimes public criticism, is directed not only at police performance but also at the behavior, both on and off duty, of those who deliver police services. The establishment of proper standards for police behavior must not only meet the expectations of the citizen but also protect the rights of police officers.

The department recognizes that its officers have certain basic personal rights and therefore it restricts those rights under this set of rules and regulations only when necessary to ensure the integrity of the department and its personnel and that the highest quality of police service is maintained. At a minimum, officers are required to obey all lawful statutes as well as regulations established by the department.

PRIVACY AND OFF-DUTY CONDUCT

The department will generally limit its inquiry into an employee's, both sworn and non-sworn, personal matters, off-duty conduct and outside employment, to situations impacting or reflecting upon the department or affecting the employee's ability or fitness for duty. An employee's right to privacy guarantees that disclosure of personal matters can be compelled only if the employer's interest in the disclosure outweighs the employee's privacy interest. When the department determines that inquiry into an employee's private life is legitimate, it will make an effort to keep the scope of the inquiry as narrow as reasonable under the circumstances.

Disclosure of an employee's financial affairs, in the form of a credit history check during the hiring process, or a financial review in the event of an official investigation of the employee, will help to deter corruption, dishonesty, and conflicts of interest. It also enhances public confidence in the integrity of the department. When the Chief of Police elects to mandate such financial disclosure in the course of an investigation, it will afford employees the opportunity to make claims of privacy through the grievance process.

An employee's medical and psychological fitness for duty, which is necessary for all employees to perform the necessary functions of their job/position, is a matter of continuing departmental concern. The Chief of Police may require employees to submit to medical and/or psychological examinations on a periodic basis or whenever there is reason to question the employee's fitness for duty. Reports of such examinations will be maintained in a file separate from the employee's personnel file and dissemination of the

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information will be restricted to appropriate individuals as required by the HIPPA Statute and Mass. General Laws.

The department has a legitimate interest in preserving the public's trust and respect. An employee's off-duty personal relationships and conduct must not bring discredit to the employee or department, impact on the Department's operation, affect the employee's ability to perform his or her job, or result in poor job performance.

Employees who are on paid leave status as a result of sickness or injury may have their activities regulated as outlined in the contract between the sworn employees (NEPBF and GPPA) and civilian employees (IBPO, and SEIU). Reasonable rules are legally permissible.

RULE 4.01 - OFF DUTY EMPLOYMENT

The department has the right to regulate the off-duty employment of its' employees, sworn and non-sworn. The emergency nature of law enforcement, the need to ensure that employees report for work in good physical and mental condition, and the need to prevent conflicts of interest, all combine to provide the department with discretion in regulating (including prohibiting) off-duty employment.

Employees, sworn and non-sworn shall not engage in any compensated off-duty employment without the knowledge and approval of the Chief of Police. Officers shall not be employed by or engage in any business that involves the distribution or sale of alcoholic beverages, or an entity that has been issued a liquor license in the Town of Groton, bail bond services, investigative work for insurance companies, private guard services, collection agencies or attorneys. The approval of the Chief of Police shall be based upon such factors as: (a) avoiding potential conflicts of interest, (b) protecting the image of the department, and (c) avoiding impairment of on-duty performance. [22.3.4]

All personnel engaging in outside employment should clearly understand that their primary obligation is to the Groton Police Department and the community they serve. Employees must not engage in a consistent schedule of "non-departmental" work that would make them unavailable in emergencies, exhaust them, require special scheduling or excessive shift swapping, or bring the department into disrepute or impair its operation or efficiency. Prior to accepting any outside employment, an employee must request, in writing, the approval of the Chief of Police. No employee shall accept other employment

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which could interfere with the employee's employment with the department or could impair his or her independence of judgment in the exercise of official duties. Outside employment shall not be unreasonably withheld unless there is evidence that such employment will or does affect the performance of the employee.

CONDUCT UNBECOMING AN OFFICER

It is impossible to have detailed rules governing every conceivable situation. Historically, the military and the police service (a quasi-military organization) have relied upon the charge of *conduct unbecoming an officer* to cover obvious violations for which no specific rule was promulgated. Admittedly, such a *catch all* rule would not be proper for regulating the conduct of the general public. However, over the years, police employees, both sworn and non-sworn, have come to understand that certain behavior is clearly not in keeping with the good order and proper operation of the department.

This rule has been shown to be capable of objective interpretation. It must not be subject to the whim of police administrators. The standard of conduct expected of police officers is learned in a variety of ways, from academy and in-service training to manuals, orders and various written directives. It is fair to say that *conduct unbecoming an officer* should be such as would alert a reasonable officer that his or her conduct under the circumstances would be inappropriate.

Both on and off-duty conduct may subject an employee, both sworn and non-sworn, to a charge of *conduct unbecoming an officer*. Employees do not sever their relationship with the department at the end of their shift. An employee's off-duty conduct, especially where there is some nexus or connection to the department or where the employee's status as a department employee is or becomes known, may reflect unfavorably on both the employee and the department.

Employees charged with *conduct unbecoming an officer* will have the underlying offensive conduct specified in the notice of charges.

RULE 4.02 - CONDUCT UNBECOMING AN OFFICER OR NON-SWORN EMPLOYEE

Employees, both sworn and non-sworn, shall not commit any specific act or acts of improper, unlawful, disorderly or intemperate conduct, whether on or off duty, which

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reflect(s) discredit(s) or reflect(s) unfavorably upon the employee, upon other employees or upon the police department. Employees shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the department and its members.

Conduct unbecoming an officer shall include that which tends to indicate that the employee is unable or unfit to continue as a member of the department, or tends to impair the operation, morale, integrity, reputation or effectiveness of the department or its members.

Conduct unbecoming an officer shall also include off-duty conduct where there is a *nexus* or connection between the act or acts committed by the employee and that individual's continued fitness or ability to effectively perform his or her required duties and responsibilities and/or the impact or adverse effect said conduct may have on the operation, morale, integrity, reputation or effectiveness of the department and ability of the employees not involved in said act to effectively perform their required duties and responsibilities.

Employees charged with *conduct unbecoming an officer* will have the underlying offensive conduct specified in the notice of charges.

CONFLICT OF INTEREST

Since the positions of police officer and non-sworn employee are positions of public trust, it is important to avoid all situations involving conflicts of interest whether in fact or only in appearance. Special areas of concern include certain kinds of outside employment; financial transactions with units of government or others; and the use of an official position to secure unwarranted privileges, pecuniary advantage or preferential treatment.

Employees should read and become familiar with the provisions of M.G.L. c. 268A concerning conduct of public officials and employees. The law may be amended from time to time by the Legislature, and employees are responsible for staying apprised of changes made to said Chapter 268A. Pursuant to Section 22 of Chapter 268A, employees may request an opinion of Town Counsel in the event the employee has questions or concerns about a course of conduct under the Conflict of Interest law. At the time this manual was updated, that statute made the following actions criminal:

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Section 2: Corrupt gifts, offers or promises to influence official acts; corruption of witnesses (b) Whoever, being a ... municipal employee ... directly or indirectly, corruptly asks, demands, exacts, solicits, seeks, accepts, receives or agrees to receive anything of value for himself or for any other person or entity, in return for:

(1) being influenced in his performance of any official act or any act within his official responsibility, or

(2) being influenced to commit or aid in committing, or to collude in, or allow any fraud, or make opportunity for the commission of any fraud, on the commonwealth or on a state, county or municipal agency, or

(3) being induced to do or omit to do any acts in violation of his official duty; or

(c) Whoever, directly or indirectly, corruptly gives, offers or promises anything of value to any person, or offers or promises such person to give anything of value to any other person or entity, with intent to influence the testimony under oath or affirmation of such first-mentioned person or any other person as a witness upon a trial, or other proceeding, before any court, any committee of either house or both houses of the general court, or any agency, commission or officer authorized by the laws of the commonwealth to hear evidence or take testimony, or with intent to influence such witness to absent himself therefrom; or

(d) Whoever, directly or indirectly, corruptly asks, demands, exacts, solicits, seeks, accepts, receives or agrees to receive anything of value for himself or for any other person or entity in return for influence upon the testimony under oath or affirmation of himself or any other person as a witness upon any such trial, hearing or other proceeding or in return for the absence of himself or any other person therefrom;—shall be punished by a fine of not more than \$100,000, or by imprisonment in the state prison for not more than 10 years, or in a jail or house of correction for not more than 2 1/2 years, or both; and in the event of final conviction shall be incapable of holding any office of honor, trust or profit under the commonwealth or under any state, county or municipal agency.

Note: These prohibitions do not apply to witness fees, travel cost reimbursement or court time pay.

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§ Section 17: Municipal employees; gift or receipt of compensation from other than municipality; acting as agent or attorney

- (a) No municipal employee shall, otherwise than as provided by law for the proper discharge of official duties, directly or indirectly receive or request compensation from anyone other than the city or town or municipal agency in relation to any particular matter in which the same city or town is a party or has a direct and substantial interest.
- (b) No person shall knowingly, otherwise than as provided by law for the proper discharge of official duties, directly or indirectly give, promise or offer such compensation.
- (c) No municipal employee shall, otherwise than in the proper discharge of his official duties, act as agent or attorney for anyone other than the city or town or municipal agency in prosecuting any claim against the same city or town, or as agent or attorney for anyone in connection with any particular matter in which the same city or town is a party or has a direct and substantial interest.

Whoever violates any provision of this section shall be punished by a fine of not more than \$10,000, or by imprisonment in the state prison for not more than 5 years, or in a jail or house of correction for not more than 2 1/2 years, or both.

A special municipal employee shall be subject to paragraphs (a) and (c) only in relation to a particular matter (a) in which he has at any time participated as a municipal employee, or (b) which is or within one year has been a subject of his official responsibility, or (c) which is pending in the municipal agency in which he is serving. Clause (c) of the preceding sentence shall not apply in the case of a special municipal employee who serves on no more than sixty days during any period of three hundred and sixty-five consecutive days.

This section shall not prevent a municipal employee from taking uncompensated action, not inconsistent with the faithful performance of his duties, to aid or assist any person who is the subject of disciplinary or other personnel administration proceedings with respect to those proceedings.

This section shall not prevent a municipal employee, including a special employee, from acting, with or without compensation, as agent or attorney for or otherwise

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aiding or assisting members of his immediate family or any person for whom he is serving as guardian, executor, administrator, trustee or other personal fiduciary except in those matters in which he has participated or which are the subject of his official responsibility; provided, that the official responsible for appointment to his position approves.

This section shall not prevent a present or former special municipal employee from aiding or assisting another person for compensation in the performance of work under a contract with or for the benefit of the city or town; provided, that the head of the special municipal employee's department or agency has certified in writing that the interest of the city or town requires such aid or assistance and the certification has been filed with the clerk of the city or town. The certification shall be open to public inspection.

This section shall not prevent a municipal employee from giving testimony under oath or making statements required to be made under penalty for perjury or contempt.

This section shall not prevent a municipal employee from applying on behalf of anyone for a building, electrical, wiring, plumbing, gas fitting or septic system permit, nor from receiving compensation in relation to any such permit, unless such employee is employed by or provides services to the permit-granting agency or an agency that regulates the activities of the permit-granting agency.

Section 19: Municipal employees, relatives or associates; financial interest in particular matter

- (a) Except as permitted by paragraph (b), a municipal employee who participates as such an employee in a particular matter in which to his knowledge he, his immediate family or partner, a business organization in which he is serving as officer, director, trustee, partner or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest, shall be punished by a fine of not more than \$10,000, or by imprisonment in the state prison for not more than 5 years, or in a jail or house of correction for not more than 2 1/2 years, or both.

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(b) It shall not be a violation of this section (1) if the municipal employee first advises the official responsible for appointment to his position of the nature and circumstances of the particular matter and makes full disclosure of such financial interest, and receives in advance a written determination made by that official that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee, or (2) if, in the case of an elected municipal official making demand bank deposits of municipal funds, said official first files, with the clerk of the city or town, a statement making full disclosure of such financial interest, or (3) if the particular matter involves a determination of general policy and the interest of the municipal employee or members of his immediate family is shared with a substantial segment of the population of the municipality.

Section 20: Municipal employees; financial interest in contracts; holding one or more elected positions

(a) A municipal employee who has a financial interest, directly or indirectly, in a contract made by a municipal agency of the same city or town, in which the city or town is an interested party of which financial interest he has knowledge or has reason to know, shall be punished by a fine of not more than \$10,000, or by imprisonment in the state prison for not more than 5 years, or in a jail or house of correction for not more than 2 1/2 years, or both.

This section shall not apply if such financial interest consists of the ownership of less than one per cent of the stock of a corporation.

This section shall not apply (a) to a municipal employee who in good faith and within thirty days after he learns of an actual or prospective violation of this section makes full disclosure of his financial interest to the contracting agency and terminates or disposes of the interest, or (b) to a municipal employee who is not employed by the contracting agency or an agency which regulates the activities of the contracting agency and who does not participate in or have official responsibility for any of the activities of the contracting agency, if the contract is made after public notice or where applicable, through competitive bidding, and if the municipal employee files with the clerk of the city or town a statement making full disclosure of his interest and the

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interest of his immediate family, and if in the case of a contract for personal services (1) the services will be provided outside the normal working hours of the municipal employee, (2) the services are not required as part of the municipal employee's regular duties, the employee is compensated for not more than five hundred hours during a calendar year, (3) the head of the contracting agency makes and files with the clerk of the city or town a written certification that no employee of that agency is available to perform those services as part of their regular duties, and (4) the city council, board of selectmen or board of aldermen approve the exemption of his interest from this section, or (c) to a special municipal employee who does not participate in or have official responsibility for any of the activities of the contracting agency and who files with the clerk of the city or town a statement making full disclosure of his interest and the interests of his immediate family in the contract, or (d) to a special municipal employee who files with the clerk of the city, town or district a statement making full disclosure of his interest and the interests of his immediate family in the contract, if the city council or board of aldermen, if there is no city council, board of selectmen or the district prudential committee, approve the exemption of his interest from this section, or (e) to a municipal employee who receives benefits from programs funded by the United States or any other source in connection with the rental, improvement, or rehabilitation of his residence to the extent permitted by the funding agency, or (f) to a municipal employee if the contract is for personal services in a part time, call or volunteer capacity with the police, fire, rescue or ambulance department of a fire district, town or any city with a population of less than thirty-five thousand inhabitants; provided, however, that the head of the contracting agency makes and files with the clerk of the city, district or town a written certification that no employee of said agency is available to perform such services as part of his regular duties, and the city council, board of selectmen, board of aldermen or district prudential committee approve the exemption of his interest from this section or (g) to a municipal employee who has applied in the usual course and is otherwise eligible for a housing subsidy program administered by a local housing authority, unless the employee is employed by the local housing authority in a capacity in which he has responsibility for the administration of such subsidy programs or (h) to a municipal employee who is the owner of residential rental property and rents such property to a tenant receiving a

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rental subsidy administered by a local housing authority, unless such employee is employed by such local housing authority in a capacity in which he has responsibility for the administration of such subsidy programs.

This section shall not prohibit an employee or an official of a town from holding the position of selectman in such town nor in any way prohibit such employee from performing the duties of or receiving the compensation provided for such office; provided, however, that such selectman shall not, except as hereinafter provided, receive compensation for more than one office or position held in a town, but shall have the right to choose which compensation he shall receive; provided, further, that no such selectman may vote or act on any matter which is within the purview of the agency by which he is employed or over which he has official responsibility; and, provided further, that no such selectman shall be eligible for appointment to any such additional position while he is still a member of the board of selectmen or for six months thereafter. Any violation of the provisions of this paragraph which has substantially influenced the action taken by any municipal agency in any matter shall be grounds for avoiding, rescinding or cancelling the action on such terms as the interest of the municipality and innocent third parties may require.

This section shall not prohibit any elected official in a town, whether compensated or uncompensated for such elected position, from holding one or more additional elected positions, in such town, whether such additional elected positions are compensated or uncompensated.

This section shall not prohibit an employee of a municipality with a city or town council form of government from holding the elected office of councilor in such municipality, nor in any way prohibit such an employee from performing the duties of or receiving the compensation provided for such office; provided, however, that no such councilor may vote or act on any matter which is within the purview of the agency by which he is employed or over which he has official responsibility; and provided, further, that no councilor shall be eligible for appointment to such additional position while a member of said council or for six months thereafter. Any violation of the provisions of this paragraph which has substantially influenced the action taken by a

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municipal agency in any matter shall be grounds for avoiding, rescinding or cancelling such action on such terms as the interest of the municipality and innocent third parties require. No such elected councilor shall receive compensation for more than one office or position held in a municipality, but shall have the right to choose which compensation he shall receive.

This section shall not prohibit an employee of a housing authority in a municipality from holding any elective office, other than the office of mayor, in such municipality nor in any way prohibit such employee from performing the duties of or receiving the compensation provided for such office; provided, however, that such elected officer shall not, except as otherwise expressly provided, receive compensation for more than one office or position held in a municipality, but shall have the right to choose which compensation he shall receive; provided further that no such elected official may vote or act on any matter which is within the purview of the housing authority by which he is employed; and provided further that no such elected official shall be eligible for appointment to any such additional position while he is still serving in such elective office or for six months thereafter. Any violation of the provisions of this paragraph which has substantially influenced the action taken by the housing authority in any matter shall be grounds for avoiding, rescinding, or cancelling the action on such terms as the interest of the municipality and innocent third parties may require.

This section shall not prohibit an employee in a town having a population of less than three thousand five hundred persons from holding more than one appointed position with said town, provided that the board of selectmen approves the exemption of his interest from this section.

Section 22: Opinions of corporation counsel, city solicitor or town counsel

Any municipal employee shall be entitled to the opinion of the corporation counsel, city solicitor or town counsel upon any question arising under this chapter relating to the duties, responsibilities and interests of such employee. All requests for such opinions by a subordinate municipal employee shall be made in confidence directly to the chief officer of the municipal agency in which he is employed, who shall in turn request in confidence such opinion of the corporation counsel, city solicitor or town counsel on behalf of such

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subordinate municipal employee, and all constitutional officers and chief officers or heads of municipal agencies may make direct confidential requests for such opinions on their own account. The town counsel or city solicitor shall file such opinion in writing with the city or town clerk and such opinion shall be a matter of public record; however, no opinion will be rendered by the town counsel or city solicitor except upon the submission of detailed existing facts which raise a question of actual or prospective violation of any provision of this chapter.

Section 23: Supplemental provisions; standards of conduct

- (a) In addition to the other provisions of this chapter, and in supplement thereto, standards of conduct, as hereinafter set forth, are hereby established for all state, county, and municipal employees.
- (b) No current officer or employee of a state, county or municipal agency shall knowingly, or with reason to know:
 - (1) accept other employment involving compensation of substantial value, the responsibilities of which are inherently incompatible with the responsibilities of his public office;
 - (2) (i) solicit or receive anything of substantial value for such officer or employee, which is not otherwise authorized by statute or regulation, for or because of the officer or employee's official position; or (ii) use or attempt to use such official position to secure for such officer, employee or others unwarranted privileges or exemptions which are of substantial value and which are not properly available to similarly situated individuals;
 - (3) act in a manner which would cause a reasonable person, having knowledge of the relevant circumstances, to conclude that any person can improperly influence or unduly enjoy his favor in the performance of his official duties, or that he is likely to act or fail to act as a result of kinship, rank, position or undue influence of any party or person. It shall be unreasonable to so conclude if such officer or employee has disclosed in writing to his appointing authority or, if no appointing authority

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- exists, discloses in a manner which is public in nature, the facts which would otherwise lead to such a conclusion; or
- (4) present a false or fraudulent claim to his employer for any payment or benefit of substantial value.
- (c) No current or former officer or employee of a state, county or municipal agency shall knowingly, or with reason to know:
- (1) accept employment or engage in any business or professional activity which will require him to disclose confidential information which he has gained by reason of his official position or authority;
- (2) improperly disclose materials or data within the exemptions to the definition of public records as defined by section seven of chapter four, and were acquired by him in the course of his official duties nor use such information to further his personal interest.
- (d) Any activity specifically exempted from any of the prohibitions in any other section of this chapter shall also be exempt from the provisions of this section. The state ethics commission, established by chapter two hundred and sixty-eight B, shall not enforce the provisions of this section with respect to any such exempted activity.
- (e) Where a current employee is found to have violated the provisions of this section, appropriate administrative action as is warranted may also be taken by the appropriate constitutional officer, by the head of a state, county or municipal agency. Nothing in this section shall preclude any such constitutional officer or head of such agency from establishing and enforcing additional standards of conduct.
- (f) The state ethics commission shall adopt regulations: (i) defining substantial value; provided, however, that substantial value shall not be less than \$50; (ii) establishing exclusions for ceremonial privileges and exemptions; (iii) establishing exclusions for privileges and exemptions given solely because of family or friendship; and (iv) establishing additional exclusions for other situations that do not present a genuine risk of a conflict or the appearance of a conflict of interest.

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NOTE: Officers must comply with any changes in the Conflict of Interest Law, regardless of whether such amendments are reflected in this manual. In case of doubt concerning G.L. c. 268A, as noted above, upon request of the employee the Town Counsel will prepare a legal opinion, which request shall be made in confidence through the Chief of Police. Said opinion shall be sought prior to engaging in situations which may, in fact, create a conflict of interest. Officers should seek clarification through the chain of command for situations that might violate any rules and regulations contained herein, especially those under the heading of conflict of interest.

RULE 4.03 - VIOLATING CONFLICT OF INTEREST LAW

Employees shall be familiar with and not violate any provision of General Laws c. 268A.

RULE 4.04 - MEMBERSHIP IN ORGANIZATIONS

Employees, both sworn and non-sworn, shall not affiliate with or become a member of any organization if such affiliation or membership would substantially interfere with or prevent them from performing their duty.

RULE 4.05 – ASSOCIATION WITH KNOWN CRIMINALS

Employees, both sworn and non-sworn, shall avoid regular or continuous associations or dealings with persons whom they know, or should know, are persons under criminal investigation or indictment, or who have a reputation in the community or the department for involvement in criminal behavior, except as necessary in the performance of official duties with the knowledge and approval of the Chief of Police or where unavoidable in social settings because of an officer's family relationships.

RULE 4.06 - UNDUE INFLUENCE

Employees, both sworn or non-sworn, shall not seek or obtain the influence or intervention of any person, outside or from within the department, but not including a lawfully retained attorney, for the purposes of advancement, preferential assignment, transfer, pecuniary advantage or any other type of preferred treatment or advantage, including the disposition of pending charges or findings in a criminal or disciplinary hearing.

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RULE 4.07 – VISTING PROHIBITED ESTABLISHMENTS

Employees, both sworn and non-sworn, shall not knowingly visit or enter a place where illegal gambling, prostitution, drug use or illicit drug sales, after hour liquor sales, or other locations where laws are violated except in the performance of their official duty or while specifically authorized to do so by a superior officer. This prohibition shall also apply to an employee's attendance at social gatherings where the employee knows or has reason to know that illicit drug use or sales are taking place.

RULE 4.08 – IMPROPER BUYING, RECEIVING OR SELLING

Employees, both sworn and non-sworn, shall not buy, receive, or sell anything of value from or to any complainant, suspect, witness, defendant, detainee, or other person involved in any case which has come to the attention of or which arose out of department employment, except as may be specifically authorized by the Chief of Police.

NOTE: The Chief ordinarily will not prohibit an employee from shopping or purchasing goods or services from a commercial establishment under the same terms and at the same prices as the general public so long as there is no connection between such activities and the establishment's involvement with the employee's employment.

RULE 4.09 - DEPARTMENT CORRESPONDENCE

The use of departmental letterhead, computers, and associated equipment to communicate with individuals or entities outside of the Groton Police Department carries with it the implied endorsement of the department. With that in mind no such correspondence by members of the Groton Police Department, which would fall outside acceptable use practices as outlined in these rules and regulations or the policies and procedures of the Groton Police Department and Town of Groton, shall take place.

RULE 4.10 – IMPROPERLY INFLUENCED TESTIMONY

Employees, both sworn and non-sworn, shall not, directly or indirectly, solicit or accept anything of value for such employee's testimony or absence of the employee at any trial or hearing. Employees shall not, directly or indirectly, solicit or accept anything of value for any other person's testimony or absence at any trial or hearing.

RULE 4.11 - MAILING ADDRESS

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Employees, both sworn and non-sworn, shall not use the department as a mailing address for private purposes without the permission of the Chief of Police or his designee. At no time will the department be used as a mailing address for the purposes of a firearms license or permit (unless said license is in conjunction with the individual's employment), or a motor vehicle license or registration for private purposes.

RULE 4.12 - INTERFERING WITH COURSE OF JUSTICE

Employees, both sworn and non-sworn, shall not interfere with cases being handled by other employees of the department or other law enforcement agencies. When an employee believes that such involvement is absolutely necessary, he or she shall secure permission from the Chief or his designee.

Employees shall not take part in, or be concerned with, either directly or indirectly, any compromise or arrangement with any person whomsoever for the purpose of permitting an accused person to escape the penalty of his or her wrongdoing, or seek to obtain a continuance of any trial or otherwise interfere with the course of justice, except in the normal course of proceedings.

RULE 4.13 – FINANCIAL DISCLOSURE

Employees, both sworn and non-sworn, shall submit financial statements in accordance with department procedures in connection with any investigation of a complaint where this information is relevant. These statements will be maintained by the Chief of Police or his designee.

RULE 4.14 - POSSESSING KEYS TO PRIVATE PREMISES

Employees, both sworn and non-sworn, shall not have keys to private buildings or dwellings on their area of patrol without the permission of the Chief of Police or his designee.

RULE 4.15 – ABUSE OF POSITION

Employees, both sworn and non-sworn, shall not use the prestige or influence of their official position, or use the time, facilities, equipment or supplies of the Groton Police Department for the private gain or advantage of themselves or another.

RULE 4.16 - POLITICAL ACTIVITIES

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Employees, both sworn and non-sworn, shall not participate in political activities while in uniform or on duty. All actions which could even give the impression that employees are using their official positions to influence the electoral process must be avoided. However, this Rule shall not apply to assignments, patrol, and duties at polling locations pursuant to orders of an employee's supervisor. An employee shall not be required to solicit or be obliged to make contributions in money, services, or otherwise, for any political purpose.

Employees who become candidates for salaried elective office shall take a leave of absence without pay from the department. Such leave shall encompass both the campaign and the tenure of office if elected.

Nothing in this rule shall be construed to mean that department personnel are restricted in any way, while off-duty and not in uniform or demonstrating their position as a police employee, from exercising their constitutional rights as citizens in the political or electoral process (including such actions as voting, supporting candidates, and belonging to a political party).

Employees shall be **permitted** to:

1. Register and vote in any election;
2. Express opinions as individuals privately and publicly on political issues and candidates;
3. Attend political conventions, rallies, fund-raising functions and similar political gatherings;
4. Actively engage in any political functions;
5. Sign political petitions as individuals;
6. Make financial contributions to political organizations;
7. Serve as election judges or clerks or in a similar position to perform duties as prescribed by state or local laws;
8. Hold membership in a political party and participate in its functions to the extent consistent with the law and consistent with this section;
9. Otherwise participate fully in public affairs, except as provided by law, to the extent that such endeavors do not impair the neutral and efficient performance of official duties, or create real or apparent conflicts of interest.

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Employees, both sworn and non-sworn, are **prohibited** from:

1. Using their official capacity to influence, interfere with or affect the results of an election;
2. Soliciting votes in support of, or in opposition to, any candidates while in uniform or on duty;
3. Serving as delegates to a political party convention;
4. Endorsing or opposing a candidate for public office in a political advertisement, broadcast, or campaign literature while in uniform or on duty;
5. Initiating or circulating a nominating petition while in uniform or on duty;
6. Organizing, selling tickets to, or actively participating in a fund-raising function for a political party or candidate while in uniform or on duty;
7. Addressing political gatherings in support of, or in opposition to a candidate while in uniform or on duty;
8. Otherwise engaging in prohibited activities under the federal, state, county or municipal election laws.

RULE 4.17 - GIFTS AND GRATUITIES

Employees, both sworn and non-sworn, shall not under any circumstances seek, solicit or accept any gift, gratuity, loan, reward or fee (including not only money but also any tangible or intangible personal property, including such things as food, beverage, promise, service or entertainment) for the benefit of the employee, a family member or acquaintance, or the department, where there is any direct or indirect connection between the solicitation or acceptance and their departmental membership or employment, except as may be specifically authorized by the Chief of Police or his designee.

Employees must be especially guarded in their official relationship with persons holding or seeking to hold licenses issued by local licensing authorities or anyone else who might expect or seek preferential police treatment. This would include attempts to influence actions of an official nature or the performance or non-performance of one's official duty. All department personnel must make payment for their meals and beverages.

Any unauthorized gift, gratuity, fee, reward or attempted bribe offered to or coming into the possession of any employee shall be forwarded immediately (or reported

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in the case of an attempt) to the Chief, together with a written report of the circumstances involved.

RULE 4.18 – TESTIMONIAL AND PRESENTS

Employees, both sworn and non-sworn, shall not collect or receive any money or other thing of value from any source for the purpose of making a present to any active employee(s) of the department or any other police agency.

RULE 4.19 - UNAUTHORIZED TRANSACTIONS

Employees, both sworn and non-sworn, shall not enter into any transactions of material value at substantially lower than fair market value, or the value at which such goods or services are being offered to the general public, when such transaction takes place between themselves and any person or entity residing or doing business in the department's jurisdiction, or any person involved in any matter or case which arose out of their employment with the department, or who has an interest which may be affected directly or indirectly except as may be specifically authorized by the Chief of Police.

RULE 4.20 - USE OF OFFICIAL POSITION

Employees, both sworn and non-sworn, shall not use their official position, department identification cards or badges: (a) for personal or financial gain; (b) for obtaining privileges not otherwise available to them except in the performance of duty, or (c) for avoiding consequences of illegal acts.

Employees shall not lend to another person any part of their uniform or equipment, nor their identification cards or badges or permit them to be photographed or reproduced, without the approval of the Chief of Police. Employees shall not authorize the use of their names, photographs, or official titles which identify them as Groton Police Officers in connection with testimonials nor for advertisements for any person, commodity or commercial enterprise, without the approval of the Chief of Police.

RULE 4.21 – ENDORSING PRIVATE SERVICES

In the normal course of their duties, employees of the Groton Police Department perform many tasks related to the providing of services to its citizens. As a result, the department utilizes a set list of vendors for particular and common services that shall be adhered to.

When recommending other services employees shall not (except in transacting personal business) endorse, recommend or suggest the use or procurement of any particular product, commercial or professional service in a manner that would be perceived as a conflict of interest or favoritism towards that vendor.

5.0- NEGLECT OF DUTY

Employees, both sworn and non-sworn, are required to be attentive to and not neglect their sworn duty. Employees must not absent themselves from their assigned duty without leave. They must not leave their post or assignment without being properly relieved; likewise, they must take suitable and appropriate police action when any crime, public disorder or other incident requires police attention or service. Examples of neglect of duty include but are not limited to: failure to take appropriate action on the occasion of a crime, including those committed by other employees (i.e. the Duty to Intervene), medical emergency, public disorder or other act or condition deserving attention; failure to render medical assistance consistent with one's training; absence without leave; failure to report to duty at the time and place designated; unnecessary absence from one's assignment during a tour of duty; failure to perform duties or comply with any job description, rule or regulation, general, special or other order; or failure to conform to department policies and procedures.

6.0- INCOMPETENCE

Employees, both sworn and non-sworn, who are incapable of performing the duties of their job may be demoted or transferred, if an available position exists, or discharged.

RULE 6.1 – INCOMPETENCE

Employees, both sworn and non-sworn, shall maintain sufficient competency to perform their duty and to assume the responsibilities of their position. Incompetence may be demonstrated by, but is not limited to, the following:

- a. a lack of knowledge of the application of laws required to be enforced;
- b. an unwillingness or inability to perform assigned tasks;
- c. the failure to conform to work standards established for the officer's rank, grade, or position; and
- d. repeated poor evaluations or repeated infractions of the rules and regulations, job descriptions, or policies and procedures.

7.0- PUBLIC STATEMENTS

The rules attempt to balance the employees' right to freedom of expression on matters of public interest with the department's legitimate interest in the integrity and efficiency of its operation. Police officers do not surrender their constitutional right of free speech upon taking their oath of office. However, courts have recognized a police department's ability to promulgate reasonable rules and regulations regulating certain types of statements by officers consistent with the mission of a law enforcement agency.

A police department is a quasi-military organization which is unique in the public service, and, as such, has a justifiable need for *esprit de corps*, harmony, discipline and confidentiality. Close personal or confidential relationships are often required. Extremely disrespectful and/or grossly offensive remarks are inconsistent with fostering and maintaining such relationships.

There is also a need to maintain a *chain of command*. Statements which undermine the working relationship between officers and superiors are disruptive to the mission of this agency. This is especially true where such statements are simply bickering or personal disputes with one's superiors.

Union spokespersons are entitled to express their association's viewpoints on matters of public concern. In fact, such individuals are afforded greater latitude in making public pronouncements on departmental policies or operations.

Certain types of speech by officers are not constitutionally protected. These include: speech which is knowingly false; statements made as an extension of a personal dispute; statements resulting from a personality conflict; speech promoting or endorsing private services; profanity or name calling; and speech which causes significant disruption of morale.

Employees who are the subject of an internal investigation may be instructed not to discuss the subject matter of such investigation with others. Except as allowed by law, such restrictions would not apply to conversations with an officer's attorney or union representative, or with such employee's spouse.

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RULE 7.1 - PUBLIC CRITICISM OF THE DEPARTMENT

Employees, both sworn and non-sworn, shall not publicly criticize the Department, its policies or members, by talking, writing, or expressing, in any manner where such talking, writing, or expression: (a) is defamatory, (b) is obscene, (c) is unlawful, (d) tends to impede the operation of the department by impairing its efficiency, interfering with the ability of supervisors to maintain discipline, or is made with reckless disregard for truth or falsity.

Employees shall not make any vexatious, bad faith, or knowingly false complaint against another member of the department nor criticize any other employee, except through the proper chain of command, nor shall employees maliciously gossip about any superior, order, policy, procedure, case or event that should remain confidential police information; nor shall employees cause to discredit, lower or injure the morale of personnel in the department, or that of any individual in the department. To this end, employees shall make maximum utilization of the chain of command and also the grievance procedure of the department as described in the applicable collective bargaining agreement. In addition, employees shall not publicly criticize instructions or orders they have received.

RULE 7.2 - DISPARAGING REMARKS

Employees, both sworn and non-sworn, shall not speak slightly of any minority group, race, nationality, gender, or religion, or any individual on account of such characteristic, nor make derogatory remarks about individuals on account of their marital status or sexual preference while on duty or while off duty.

RULE 7.3 - COURTESY

Employees, both sworn and non-sworn, shall not be discourteous or inconsiderate to the public, to their superior officers, or to their fellow officers and employees of the police department as well as other law enforcement and governmental agencies. They shall be tactful in the performance of their duties and are expected to exercise the utmost patience and discretion even under the most trying circumstances.

Employees shall answer questions from citizens in a courteous manner and, if unable to supply an answer, shall make every effort to obtain the answer for the citizen, avoiding argument and unnecessary conversation.

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RULE 7.4 - IDENTIFICATION

Employees, both sworn and non-sworn, shall properly identify themselves to any person requesting this information, while they are on duty, except when the withholding of this information is necessary for the proper performance of police duty, when it might jeopardize the physical safety of a department member, or when authorized not to do so by proper authority. Under M.G.L. Chapter 41, section 98D, every full-time police officer is required to carry an official identification card to be shown to the public upon lawful request.

RULE 7.5 - DISSEMINATION OF OFFICIAL INFORMATION

Employees, both sworn and non-sworn, shall treat as confidential that information which is confided to them personally in the course of their official duties. They shall disclose such information only as required in the proper performance of their duties.

Employees, both sworn and non-sworn, shall neither disclose nor use for their personal interest any confidential information acquired by them in the course of their official duties.

Employees shall treat as confidential all matters relating to investigations, internal affairs, and personnel.

Employees shall treat the official business of the Groton Police Department as confidential and shall conform to the following guidelines:

- a. Information regarding official business shall be disseminated only to those for whom it is intended, in accordance with established departmental procedures.
- b. Access to departmental files, records and reports shall be limited to those officers and employees authorized by the Chief of Police or his designee.
- c. Official records or reports shall not be copied, or removed from a police facility, except in accordance with established departmental procedures.
- d. The identity of any person giving confidential information

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to the department or to any employee thereof in the performance of his or her duties, shall not be divulged except with the prior approval of the Chief of Police or his designee or by operation of law.

- e. No information shall be released, given or issued to the news media or to any members of the press concerning department operations, or the evidentiary aspects of any criminal investigations, without the prior approval of the Chief of Police or his designee.

NOTE: All releases to the press or media of information concerning departmental policy or the evidentiary aspects of any criminal investigation shall conform to the Department's Policy and Procedure entitled *Media Relations*. All such releases shall be approved by the Chief of Police or his designee.

- f. Employees shall not communicate or give police information that may aid a person to escape arrest, delay apprehension or avoid prosecution or which contributes to the destruction, removal or loss of evidence, goods or contraband.
- g. Employees shall not communicate to the public, news media or to any other agency or person, information connected with the department or its personnel, except as authorized by the Chief of Police or his designee. All requests for public appearances or speaking engagements by employees, outside the normal course of the employee's duties, shall be submitted to the Chief of Police or his designee for approval.

RULE 7.6 - TESTIMONY IN CIVIL CASES

Employees, both sworn and non-sworn, shall not testify in any civil case, arising as a result of the performance of duty, in any court, unless legally summonsed to do so or until having received permission or order from the Chief of Police or his designee. When summonsed to testify, an employee shall notify the Chief of Police or his designee in advance of testifying.

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RULE 7.7 - TRUTHFULNESS

Employees, both sworn and non-sworn, shall speak the truth at all times when on duty or when discussing a matter arising out of or related to the employee's duties or the operation, organization or business of the department. In cases in which an employee is not allowed by the regulations of the department to divulge facts within his or her knowledge, the employee will decline to speak on the subject.

Employees shall not fabricate, withhold, or destroy any evidence of any kind.

RULE 7.8 - STATEMENTS CONCERNING LIABILITY

Employees, both sworn and non-sworn, shall not make any oral or written statement to anyone concerning liability in connection with the operation of police vehicles or performance of other police duty, unless specifically authorized to do so by the Chief of Police or his designee.

RULE 7.9 - TESTIFYING FOR CRIMINAL DEFENDANTS

Employees, both sworn and non-sworn, shall not testify for the defendant in a criminal case, parole hearing or other judicial proceeding, in any court or tribunal, unless legally summonsed to do so or with the advance approval of the Chief of Police. In cases which involve the police department or its personnel, employees shall, before testifying, inform the Chief of Police of the nature of the testimony intended to be given.

RULE 7.10 - RECOMMENDATION FOR DISPOSITION OF CASES

Employees, both sworn and non-sworn, shall not make a recommendation for the disposition of any case pending in the courts without the consent of the Chief of Police, his designee, or with the permission of the Prosecutor; or upon the direct request of the Court to the employee.

RULE 7.11 - COMMUNICATION WITH OFFICIALS

Employees, both sworn and non-sworn, shall not confer with or forward communications to governmental officials on police matters without first notifying the Chief of Police or his designee, except as otherwise provided by statute.

8.0- ORDERS

It is essential to the proper operation of a police agency that all employees, both sworn and non-sworn, promptly obey all lawful orders. An order is defined as a command or instruction, oral or written, given by one employee of the department to another employee of lesser rank or in the case of officers of the same rank by the employee with more time in grade. Employees shall promptly obey, without reservation, the orders, rules, regulations, policies and procedures of the department. Employees shall obey all lawful commands of a supervisor including those commands relayed from an employee, both sworn or non-sworn, or of the same or lesser rank. The intentional refusal to obey any direct lawful order is grounds for disciplinary action and/or termination. [12.1.3]

TYPES OF ORDERS

Written orders come in a variety of forms. Below is a brief description of the types of written directives which may, from time to time, be utilized. They may be issued by the Chief of Police or by his or her designee.

GENERAL ORDERS

General Orders are permanent written orders outlining policy matters which affect the entire department. A General Order is the most authoritative written order the department issues, and may be used to amend, supersede or cancel any previous order. General Orders remain in full force and effect until amended, superseded or rescinded by the Chief of Police.

SPECIAL ORDERS

Special Orders are temporary written orders outlining instructions covering particular situations. Special Orders are automatically canceled when their objective is achieved.

PERSONNEL ORDERS

Personnel orders are those pertaining to such matters as assignments, change of duty, administrative matters relating to conditions of employment, and employee rights and benefits.

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MEMORANDA

Memoranda are written communications (generally entitled “Memorandum” or “Memo”) issued for the following purposes: (a) to issue information or instructions which do not warrant a formal order; (b) to direct the actions of subordinates in specific situations; (c) to explain or emphasize portions of previously issued orders; or (d) to inform officers of actions or policies of other agencies.

RULES AND REGULATIONS

A manual of rules and regulations issued by the Chief of Police (with the approval of the municipal government official(s) where appropriate or required) which defines required and prohibited conduct and generally outlines the basis for departmental discipline.

POLICIES AND PROCEDURES

A manual describing the policy of the Department and the required procedures followed when handling a variety of operational areas confronting its officers.

OBEDIENCE TO RULES AND ORDERS

All employees are expected to be familiar with and comply with all lawful orders, rules and regulations, and policies and procedures issued by the Department.

UNLAWFUL ORDERS

Obedience to an unlawful order is never a defense for an unlawful action; therefore, no employee is required to obey any order which is contrary to any Federal or State law. Responsibility for refusal to obey an unlawful order rests with the employee to whom such order was given. The employee shall be strictly required to justify such action. The employee issued what he or she believes to be an illegal order shall request the issuing employee to clarify the order or to confer with higher authority, and an employee shall not be disciplined for requesting such clarification or conferral. [12.1.3]

RULE 8.1 – ISSUING UNLAWFUL ORDERS

No supervisor shall knowingly issue any order which is a violation of any law.

CONFLICTING ORDERS

Should any order given by a supervisor conflict with any previous departmental order, rule, regulation, policy or procedure, the employee to whom such order is given will call attention to the conflict. If the supervisor responsible for issuing said order does not change the order to avoid such conflict, the order will be obeyed, but the employee obeying such order shall not be held responsible for disobedience of the previous order, rule, regulation, policy or procedure. Responsibility for the conflict shall be upon the supervisor that issued such conflicting order. It should later be reported to the Chief of Police or his designee, through the chain of command, for clarification. **[12.1.3]**

UNJUST OR IMPROPER ORDERS

When lawful orders which appear to be unjust or improper are given, the employee to whom the order is given shall respectfully notify the supervisor issuing such order of its impropriety. If the order is not rescinded, then it is to be carried out. After carrying out the order, the employee to whom the order was given may file a written report to the Chief of Police, via the chain of command, indicating the circumstances and the reasons for questioning the order, along with a request for clarification of departmental policy. After complying with this Section, an employee who carries out an order found to be unjust or improper by the Chief of Police or court or tribunal of competent jurisdiction, will not be held responsible for carrying out such order.

INSTRUCTIONS FROM DISPATCHER

All messages transmitted over the police radio system by any officer or employee shall be direct and concise and shall conform to all departmental radio procedures and the rules and regulations of the Federal Communications Commission. No employee shall fail to obey or refuse to take cognizance of any communication (whether via radio, telephone, computer, in person or otherwise)

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transmitted by or conveyed directly from the Communication Officer, unless instructed to do so by a Supervisor.

RULE 8.02 - INSUBORDINATION

No employees, sworn and non-sworn, shall be insubordinate. Insubordination shall include: any failure or deliberate refusal to obey a lawful order (written or oral) given by a superior officer, or in the case of equal rank by the individual with more time in rank, or relayed from a superior officer by another officer (regardless of rank) or a dispatcher or as otherwise above specified.

Employees shall follow the procedures specified above when given what they believe to be an unlawful, conflicting, unjust or improper order.

9.0 - UNIFORMS AND APPEARANCE [26.1.1]

Employees, both sworn and non-sworn, shall wear such uniforms, equipment, and insignia as the Chief of Police may, from time to time, prescribe. A professional, uniform appearance enhances morale and fosters teamwork and *esprit de corps*. Employees should present a professional appearance to the public at all times and reflect a positive image as members of the Department. The police uniform identifies the employee and makes him or her readily accessible to the citizen. It is, therefore, vital that the employees of the department maintain a neat and clean appearance, and that the uniform serves as an appropriate introduction to the members of the community. Exceptions may be authorized by the Chief of Police or his designee. Periodically the Chief of Police or his designee may post drawings or issue orders for guidance in interpreting the Department's uniform regulations.

RULE 9.1 - HAIR STYLES FOR MALE EMPLOYEES

Employees shall keep their hair neat, clean and trimmed and shall present a well-groomed appearance. Hair in front will be groomed so that it does not fall below the band of properly worn headgear. In no cases will the bulk or length of the hair interfere with the proper wearing of any authorized headgear.

RULE 9.1.A. - SIDEBURNS

If an employee chooses to wear sideburns, they will be neatly trimmed and tapered. Sideburns may extend to a level consistent with the midpoint of the ear, will be of even width (not flared), and will end with a clean-shaven horizontal line.

RULE 9.1.B. - MUSTACHES

Mustaches shall be neatly trimmed at all times and shall not extend beyond the upper lip line in any direction and shall not extend below the lip line. "Handlebar" or "Fu Manchu" mustaches are not allowed.

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RULE 9.1.C. – BEARDS

The face will be clean shaven other than the acceptable mustache and sideburns. Beards and goatees are prohibited. Exceptions to this rule may be granted by the Chief of Police for special reasons or purposes (such as undercover work or for medical reasons).

RULE 9.1.D. - WIGS OR HAIRPIECES

Wigs or hairpieces in natural colors may be worn on duty for cosmetic reasons to cover natural baldness or physical disfiguration. When they are worn, they shall be of good quality, consistent in styling with these Rules and Regulations, and shall not interfere with the wearing of any required headgear.

RULE 9.2 - HAIR STYLES FOR FEMALE EMPLOYEES

Female employees shall wear their hair so that it does not touch the collar of the shirt. Longer hair will be fashioned up, and all hair styles must be such as to stay in place and not hang over the eyes. All styles will render a neat appearance. No scarves or ribbons will be worn in the hair. In no case will the bulk or length of the hair interfere with the proper wearing of any police headgear. Any highlights or coloring of the hair will be of “natural” shades and will not contain pastel or primary colors.

RULE 9.3 - EARRINGS

Male employees may not wear earrings or studs on duty. Female employees may only wear stud-type earrings on duty (no hoops or dangling styles). Conspicuous body piercings are prohibited for both males and female officers while on duty. (*See Rule 9.4*)

RULE 9.4 - TATTOO AND BODY MODIFICATION

In order to preserve the department’s professionalism, grooming standards as well as promote public confidence, no employee or candidate for employment, sworn or non-sworn of the Groton Police Department shall have any type or style of tattoo, body art, branding, scarification, body piercings, dental art or any other body modification to his or her head, neck, face, ears or hands. No employee, sworn or non-sworn shall obtain or display an offensive tattoo that is visible to the public while performing their professional duties. The Chief of Police retains the right to require the covering of an individual’s tattoo.

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Exceptions to the aforementioned standards may be made for bona fide medical and/or religious reasons. Such exceptions shall be reviewed on a case-by-case basis.

RULE 9.5 - WEARING THE UNIFORM

Employees, both sworn and non-sworn shall wear uniforms or other clothing on duty in accordance with department regulations. Employees shall keep their uniforms neat, clean and well-pressed at all times. Care should be taken not to wear threadbare or faded items. The uniform cap shall be available for wear as deemed appropriate by the individual employee or as directed by a supervisor. While in uniform, officers shall display their badge on the outermost garment over their left breast. The Chief of Police or his designee shall periodically issue special orders pertaining to daily or seasonal wearing of uniforms.

Employees shall not wear any identifiable part of the uniform outside the limits of the community except while in the performance of official duty, while commuting to and from duty, or with the permission of the Chief of Police or his designee. No buttons, insignia, attachments or coverings of any kind will be worn on a uniform without the permission of the Chief of Police or his designee.

RULE 9.6 - CIVILIAN CLOTHING

Male officers permitted to wear civilian clothing during court appearances or other such assignment shall wear either a business suit with a tie, or sports coat with a tie, and slacks. Female officers permitted to wear civilian clothing during court appearances or other such assignment shall wear business attire such as a skirt and blouse, or blouse and dress pants. The Chief of Police may prescribe other types of clothing when necessary, to meet particular police objectives or when he/she or his/her designee deem appropriate. Civilian clothing shall not be worn with any distinguishable part of the police uniform.

10.0 - ATTENTION TO DUTY

Employees, both sworn and non-sworn, are expected to be constantly alert and vigilant in the performance of their duties and to respond prudently but decisively when police action is required or expected. Every employee of the department who has occasion to handle any complaint, assistance call, arrest or other duty, shall attend to such duty with business-like dispatch and courtesy and without any unnecessary loss of time. Employees shall furnish information and render aid to all persons with due courtesy whenever such request is consistent with their duty. Employees shall not withhold information on criminal activity or that would endanger the safety of the employee, his fellow employees, or citizens.

Every employee shall familiarize himself or herself with the geography of the community, including: routes of public transportation; the location of streets, highways, bridges, public buildings and places; hospitals; churches; courts; transportation offices and stations; prominent or important office buildings; large industrial plants or commercial establishments; and such information as may be disseminated by the department or a superior officer from time to time.

Employees shall furnish police assistance to all persons making such request, consistent with their police duties, assignments, and expectations of the department and community. They shall assist and cooperate with all law enforcement agencies, provide them any authorized information they are entitled to receive, and submit a report on all such action taken when required.

It shall be the duty of every employee to report to his or her Commanding Officer or the Chief of Police any information given to such employee in good faith by any citizen regarding matters that indicate the need for police action. Employees, regardless of rank or assignment, shall act immediately: to protect life, liberty or property; to enforce all laws; to prevent or detect the commission of crimes; and to apprehend law violators.

RULE 10.1 - PROFESSIONAL IMAGE

Employees, both sworn and non-sworn, shall not act in a manner which is inconsistent with the image of a professional police employee, which shall include but not necessarily be limited to:

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- a. Smoking tobacco [*M.G.L. Chapter 41, Section 101A Police Officers or Firefighters; Tobacco Smoking*]
- b. Loitering or otherwise “hanging around” a business, residence or other location longer than is reasonably required for an officer’s police purposes as determined by the officer’s supervisor; and
- c. Gambling, except when off-duty and at licensed premises, or in the performance of their official duty or while authorized or ordered to do so by a superior officer.

RULE 10.2 - DEVOTION TO DUTY

Employees, both sworn and non-sworn, while on duty, shall devote their full time and attention to the service of the department and to the citizens of the community. They shall remain alert at all times while on duty. Recreational reading, watching television or movies, playing games, using computers for personal or recreational purposes, and/or any other similar type activities which would tend to detract from the proper performance of duty will not be permitted while on duty.

Employees while on duty shall not loiter in cafes, saloons, restaurants, theaters, service stations or other public places, except for the purpose of police business.

Employees while on duty shall not conduct personal business nor devote any of their on-duty time to any activity other than that which relates to police work and shall not perform any police duty in uniform for the purpose of private gain, unless properly authorized.

RULE 10.3 - REPORTING FOR DUTY

Employees, both sworn and non-sworn, shall report for duty promptly at the time and place required by their assignment or as otherwise directed by proper authority. They shall be uniformed properly and suitably equipped, ready to assume their duties. While on duty employees shall not absent themselves from duty without leave.

Employees shall notify, or cause to be notified, the department as soon as possible, but in any event at least two hours prior to their next tour of duty (unless the injury or illness occurs less than two hours before the employee's next tour of duty) if unable to report for duty because of sickness or injury.

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Employees shall endeavor in good faith to remain in compliance with the above requirements or forfeit their salary for said scheduled tour of duty in addition to appropriate disciplinary sanctions.

RULE 10.4 - SLEEPING

Employees, both sworn and non-sworn, shall not sleep while on duty.

RULE 10.5 - AWARENESS OF ACTIVITIES

Employees, both sworn and non-sworn, shall acquaint themselves before or at the beginning of their tour of duty with all important matters affecting their duties that have occurred since their last tour. Upon returning to duty from any period of absence, employees shall inform themselves about all new orders, regulations, memoranda, and all other important matters governing their assignments. Employees shall familiarize themselves with all of the laws, statutes, by-laws/ordinances, and regulations necessary for the proficient execution of their duty as police officers.

RULE 10.6 - LEAVING THE COMMUNITY

Employees, both sworn and non-sworn will notify the Commanding Officer in advance if they leave the limits of the community and enter another city or town while on duty unless it is necessary in the performance of duty.

RULE 10.7 - DUTY STATUS

All employees, both sworn and non-sworn, on or off duty, shall give attention to all serious matters of public concern, consistent with an employee's physical and mental condition. Off-duty employees shall not ~~consume alcoholic beverages while carrying a firearm, nor shall they~~ carry a firearm while under the influence of alcohol. In the event that an employee is taking a prescribed medication they must consult with their physician to ensure that the medication will not affect their judgment as it relates to the carrying of a firearm.

RULE 10.8 - DEPARTMENTAL COMMUNICATIONS

Employees, both sworn and non-sworn, shall transmit all official communications promptly, accurately and completely to other employees of the department as required, and shall immediately inform their Commanding Officer of any matter of police

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importance coming to their attention during their tour of duty, or otherwise. They shall call to the attention of their relieving employees any information regarding unresolved problems or difficulties which may arise during the next tour of duty.

RULE 10.9 - COOPERATION WITH INVESTIGATIONS

Employees, both sworn and non-sworn, shall answer questions fully and truthfully, respond to lawful orders, and render material and relevant statements, in an internal department investigation when such orders, questions and statements are directly related to job responsibilities or fitness for duty. Nothing in this Section shall violate one's Federal or State constitutional rights.

Employees shall submit to any medical, ballistics, chemical, DNA or other tests, as well as being photographed or appearing in a line-up when ordered to do so in connection with an internal investigation. Officers shall not be requested or ordered to take a polygraph exam except in the course of a criminal investigation.

RULE 10.10 – RECREATIONAL/MEDICAL MARIJUANA USE

Regardless of the status of marijuana under Massachusetts law, marijuana remains a Schedule I controlled substance under the federal Controlled Substances Act, 21 U.S.C. § 812(b)(1) whose use, sale, and possession are federal crimes. Moreover, any involvement by a police officer as a “caretaker” under the Massachusetts law permitting the use and possession of “medical” marijuana, or as a participant in the medical or recreational marijuana business, amounts to conduct unbecoming a police officer.

State laws allowing recreational marijuana use do not protect Department members against employment-related sanctions. Similarly, employees using marijuana for “medical” reasons are not protected from sanctions under the Americans with Disabilities Act (ADA). In no event may marijuana be used in the workplace.

11.0- GENERAL REQUIREMENTS

RULE 11.1 - RESIDENCY

Employees, both sworn and non-sworn, shall comply with any residency requirement specified by any applicable statute, by-law/ordinance, departmental order or collective bargaining agreement.

RULE 11.2 - HOME ADDRESS AND TELEPHONE

Employees, both sworn and non-sworn, shall have a. Employees shall report any change of telephone number or home address to the Chief of Police or his designee within twenty-four (24) hours of such change.

Employees shall not give out the home and/or cellular telephone numbers or home addresses of department personnel to anyone outside the department without the approval of the Chief of Police or his designee. In the event of an emergency request, the employee's telephone number will be called with a notification to call the person making the request.

RULE 11.3 - MEALS

Employees, both sworn and non-sworn, shall take meals and breaks at such times as are approved by the Commanding Officer who may limit the number of officers who may be off at any one time.

RULE 11.4 - POLICIES AND PROCEDURES COMPLIANCE

Employees, both sworn and non-sworn, shall read, be familiar with and comply with the requirements of the department's policies and procedures manual.

RULE 11.5 - PAYMENT OF DEBTS/LEGAL LIABILITIES

Employees, both sworn and non-sworn, shall not willfully or negligently fail to pay just debts and legal liabilities, especially where creditors solicit the assistance of the Chief of Police in the collection process. Employees shall not borrow any money from or otherwise become indebted to any municipal official nor shall they solicit any municipal official or other to co-sign, endorse or in any way whatsoever guarantee any promissory note or other loan, nor shall they offer to act as co-signor, endorser or guarantor of any

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promissory note or other loan for any municipal official. The preceding sentence will not apply to transactions involving spouses that both work for the municipality.

RULE 11.6 - WARRANTS FOR ASSAULT

Employees, both sworn and non-sworn, making application for a complaint charging that they were assaulted while in the performance of duty shall report the facts of the case to the Chief of Police or his designee.

RULE 11.7 - RELEASE WITHOUT ARRAIGNMENT

Employees, both sworn and non-sworn, shall notify the Commanding Officer in all cases where a release without arraignment is to be sought for any person arrested. In no case shall any discharge without arraignment be made without the approval of the Chief of Police, his designee, or the appropriate court officer.

RULE 11.8 - INCURRING DEPARTMENT LIABILITY

Employees, both sworn and non-sworn, shall not incur any financial liability chargeable to the department or municipality, except with the knowledge and consent of the Chief of Police or his designee except in the performance of their official duties.

RULE 11.9 - DUTIES WHILE SUSPENDED

Employees, both sworn and non-sworn, shall obey all lawful orders while on suspension. Suspended employees may be required to testify in connection with cases which originated while an employee was on duty. Employees may also be required to report to the station to meet with the Chief of Police or a superior officer, and may be required to submit to fitness for duty examinations.

RULE 11.10 - CIVIL SUITS FOR PERSONAL INJURY

Employees, both sworn and non-sworn, shall make any claims for damage to clothing or other personal property belonging to them resulting during the proper and lawful performance of duty only in accordance with current departmental directives, regulations and contractual provisions. Employees shall not seek in any way, nor accept from any persons, money or compensation for damages sustained or expenses incurred by them in the line of duty without first notifying the Chief of Police in writing and receiving approval from the Chief of Police.

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Employees who have received municipal salaries or have been indemnified or reimbursed for medical bills for illness or for personal injuries sustained off-duty or in the line of duty, shall notify the Chief of Police in writing of any intent to seek, sue, solicit, settle, or accept compensation or damages for such injury or illness. Notice shall be filed in writing before the action is taken, which notice shall include the facts of the claim and the name of the defendant or responsible party. The Chief of Police shall be kept informed of the status of the case and the final court determination or settlement.

RULE 11.11 - IMMORALITY

Employees, both sworn and non-sworn, shall not engage in grossly immoral conduct or public lewdness as defined by law.

RULE 11.12 - CRIMINAL CONDUCT

Employees, both sworn and non-sworn, shall not commit any criminal act (felony or misdemeanor), or violate the regulatory or criminal laws or statutes of the United States or of any state or local jurisdiction (by-law/ordinance), whether on or off duty.

NOTE: An employee may be guilty of violating this rule regardless of the outcome of any criminal court case. However, even in the absence of a conviction (which requires proof beyond a reasonable doubt), an officer may still be disciplined under this rule for the conduct that was involved.

12.0-DEPARTMENTAL PROPERTY AND EQUIPMENT

Property, equipment and uniforms issued to employees, both sworn and non-sworn, shall remain the property of the department. Employees shall maintain departmental property, uniforms and equipment assigned to them in good condition. Damaged or lost items may subject the responsible individual to reimbursement charges and/or appropriate disciplinary action.

The Chief of Police or his designee shall be responsible for issuing and maintaining a record of department owned property and equipment to employees. [17.5.2]

Any situation involving department property which is found bearing evidence of damage which has not been previously reported, will be investigated at the discretion of the Chief of Police.

RULE 12.1 - DAMAGED OR DEFECTIVE EQUIPMENT

Employees, both sworn and non-sworn, shall immediately report to their superior officer any damaged, defective, inoperative or hazardous property or equipment. The superior officer involved shall submit a report to the Chief of Police or his designee, detailing the circumstances leading up to the lost, damaged, defective, inoperative or hazardous equipment and cause to have submitted a report by the employee assigned or in control of said property when said damage occurred.

RULE 12.2 - CARE OF DEPARTMENT BUILDINGS

Employees, both sworn and non-sworn, shall not mar, mark or deface any surface in any department building or motor vehicle. No material of any type shall be affixed in any way to any wall or other place or location in departmental buildings or property without specific authorization from the Chief of Police or his designee. This shall not apply to the posting of authorized notices on a union bulletin board.

RULE 12.3 - AUTHORIZED EQUIPMENT

Employees, both sworn and non-sworn, while on duty shall carry only such equipment as is authorized by the Chief of Police or issued by the department.

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RULE 12.4 - SURRENDER OF DEPARTMENT PROPERTY

Employees, both sworn and non-sworn, shall surrender all department equipment and property to include all badges (hat, breast, and wallet) in their possession upon separation from service or when otherwise ordered. Employees shall remove all patches that have been affixed to any and all clothing upon an employee's separation from the department. All returned department equipment and supplies may be reissued by the Chief of Police or his designee when found to be in satisfactory condition and good working order. (See department issued equipment list) [17.5.2]

RULE 12.5 - PRIVATE VEHICLES

Employees, both sworn and non-sworn, should not drive or utilize a private vehicle while actually on a duty assignment or otherwise engaged in a police service, function, duty, or responsibility without the specific authorization of the Chief of Police or his designee. An exception will be made for emergency circumstances requiring immediate police services.

Employees working an "extra detail", participating in training, going to court, and the like will utilize their personal vehicles unless the detail or assignment requires a marked cruiser or if one is authorized by the Chief of Police or his designee.

RULE 12.6 - DEPARTMENT PHONES/PERSONAL CELL PHONES

Employees, both sworn and non-sworn, should keep personal use of departmental phones to a minimum. Employees that utilize a departmental issued cell phone shall, while on duty, have that phone accessible at all times and shall respond to calls from the department or its members immediately. Employees that utilize a departmental issued phone off duty shall make every effort to return departmental calls in a timely manner. Employees shall not use their privately-owned cell phones and/or departmental cell phones for personal business while on duty unless it is done in an inconspicuous manner.

RULE 12.7 - DEPARTMENT VEHICLES

Employees, both sworn and non-sworn, shall not use any department vehicle without the permission of a Commanding Officer or Chief of Police, or drive any department vehicle to which they have not been assigned, except in an emergency.

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Employees shall not use department vehicles for personal business or pleasure unless authorized by the Chief of Police.

Employees shall operate department vehicles carefully, obeying all traffic laws and department regulations.

Employees who are involved in a motor vehicle accident with a department vehicle, or when a vehicle is disabled and has been damaged, shall not move the vehicle except in an emergency. The Commanding Officer or his or her designee shall immediately go to the scene of the crash and conduct an investigation and submit a crash report. The employee involved in the crash shall promptly submit a written report in accordance with department regulations.

Employees who are assigned to duty as an operator of a department vehicle shall be responsible for checking on the serviceability of the vehicle. Employees shall inspect the vehicle when it is turned over to him or her and shall submit a written report to the Commanding Officer of any defect, damage or un-serviceability not previously reported. Employees at the same time shall also inspect the interior of the vehicle for the presence of unauthorized articles. Employees shall be responsible for cleanliness of the vehicle.

RULE 12.8 – REQUIRED LICENSES

Employees, both sworn and non-sworn, must have and maintain a current and valid Driver's License. Employees required to carry firearms must have and maintain a current License to Carry Firearms.

RULE 12.9 - UPKEEP OF POLICE MANUALS

Employees, both sworn and non-sworn, are responsible to review and be knowledgeable in the departments Rules and Regulations and Policies and Procedures.

A copy shall be located in the Squad Room and Dispatch. An electronic copy is accessible to each employee via the PMAM program.

RULE 12.10 - TRANSPORTING CITIZENS

Employees, both sworn and non-sworn, shall transport only authorized police personnel or employees in departmental vehicles. Employees shall transport citizens in department vehicles only when necessary, to accomplish a proper police purpose. Such

Rules and Regulations

transportation shall be in conformance with department policy and procedure or at the direction of the Chief of Police, his designee, or a Commanding Officer.

RULE 12.11 - CARE OF DEPARTMENT PROPERTY

Employees, both sworn and non-sworn, shall make every effort to conserve the physical resources of the department. Employees shall use department equipment only for its intended purpose, in accordance with established procedures. Employees shall maintain all issued equipment in proper order and condition. Culpable negligence in the use and care of department property, as well as its abuse, misuse, willful or negligent loss or destruction, is not only a cause for department discipline, but may also require restitution. Intentionally or negligently abusing, defacing, misusing, damaging or losing police department property is prohibited. In more serious cases, such shall incur liability for prosecution in the criminal courts.

Employees who are the actual custodians or users of any department property shall be responsible for the safe-keeping and proper use of the property during the time that such employee has control of the property, and it shall be returned upon separation from the service, upon retirement, upon demand, or when its use is terminated.

The Chief of Police or his designee shall annually conduct an inventory of all department owned property and equipment by physically viewing and observing the location, number and condition of such equipment. [17.5.1]

RULE 12.12 – ITEMS OF IDENTIFICATION

Employees, both sworn and non-sworn, shall be responsible for the items of identification issued to them as an employee of the department. This is to include but not limited to, the police badge, any numbered hat badge or name plate, and the police identification card. Employees shall not permit any other person to borrow or use the items of identification issued to them by the department. Employees shall immediately report any loss of such items to the Chief of Police or his designee together with a written report of the circumstances leading to such loss.

Rules and Regulations

RULE 12.13 – PERSONAL POLICE EQUIPMENT

Employees, sworn, shall carry firearms in accordance with all applicable laws and department regulations. This rule does not permit the carrying of unauthorized firearms or equipment on duty.

RULE 12.14 - CARE AND SECURITY OF FIREARMS

Employees, sworn, shall maintain their service firearms and authorized off-duty weapons, if any, in proper working order at all times and report any damage, loss or un-serviceable condition immediately to the Chief of Police, his designee, or to their Commanding Officer. Employees shall be personally responsible for the security and safekeeping of said firearms at all times, in accordance with applicable laws, and shall not alter or repair any part of their service or authorized off-duty firearms without the approval of the Chief of Police or his designee.

RULE 12.15 - CARE AND CUSTODY OF PROPERTY

Employees, both sworn and non-sworn, while on duty shall assure that all personal property, including money, which comes into an employee's custody whether lost, stolen, confiscated, abandoned, turned over to the department or taken from a detainee, is properly tagged, recorded and turned over to the proper department authority, or placed in the designated place of storage for safe keeping, all in accordance with current department policies and procedures.

RULE 12.16 – EVIDENCE OR SUSPECTED CONTRABAND

Employees, both sworn and non-sworn, shall assure that whenever evidence of any kind, including suspected contraband such as questionable controlled substances, alcoholic beverages, or other items kept contrary to law comes into the possession of an employee of the department, said evidence or suspected contraband is turned into the evidence or property officer for safe-keeping and analysis if necessary. This regulation shall be adhered to in all cases, whether or not court action is contemplated, whether or not an arrest is made, and whether or not the owner of such evidence or suspected contraband is known to the employee.

Employees are not authorized to destroy or dispose of evidence or suspected contraband, except by direction of the Chief of Police or his designee, or in accordance

Rules and Regulations

with procedures established by law for the destruction or disposal of the same, and in accordance with department policies and procedures.

RULE 12.17 - DEPARTMENT NOTICES

Employees, both sworn and non-sworn, shall not alter, deface, or remove without permission, any posted notice on the department bulletin board or from any other location where said notice may be posted. No notice of a derogatory, libelous or profane nature of any kind shall be posted upon the department or Union bulletin board(s), or within or upon any other department property or location. All notices on the Union bulletin board, if any, will conform to the requirements of the applicable collective bargaining agreement and will be signed by a Union official.

RULE 12.18 - DEPARTMENTAL RECORDS

Employees, both sworn and non-sworn, shall not steal, alter, forge or tamper with any kind of governmental or police record, report or citation. To this end, the removal of any record, card, report, letter, document, or other official file from any governmental entity, court or the department, except by process of law or as directed by the Chief of Police or his designee, is prohibited. Additionally, the obtaining or duplication or attempted obtaining or duplication of any information from any court, governmental or department files, sources or reports, other than that to which one is properly entitled in accordance with one's duties or assignment, is prohibited.

13.0 – REPORTS

Employees, both sworn and non-sworn, are required to promptly and accurately complete all required reports and forms. Failure to complete a required report or falsification of a police report or record, by submitting false written or oral information, may result in disciplinary action against the officer. Police reports and records include, but are not limited to, such things as affidavits, incident reports, timesheets, the condition of the officer's health, doctor's slips, IAD investigation reports, and citations.

Report filing requirements are an essential duty of a police officer. Additionally, credibility is an essential characteristic of every officer, due to the nature of police work where public interaction and testimony at judicial proceedings are required.

RULE 13.1 - FILING REPORTS

Employees, both sworn and non-sworn, shall promptly, truthfully and accurately complete all reports and forms as required by this Manual, by law, and by department regulations or policies and procedures.

In considering the many actions that members of the Department take within the course of their official duties it is imperative that those actions are appropriately recorded. The purpose of such recordings is to memorialize departmental action taken on behalf of the community and to ensure that there is an accurate historical record of those actions available for review after the fact. Such records will serve all involved parties of any and all dealings with the Department, to include victims, witnesses, individual officers, the community, and perpetrators alike.

Employees, both sworn and non-sworn, of the Department shall ensure that the following call reasons are documented, as noted, at a minimum. This list is not to be considered all-inclusive and officers shall "over document" in the event that there is a question of which method to utilize.

The following list of Call Reasons will require the corresponding report action:

- | | |
|----------------------|-----------------------|
| ➤ Rape | Offense # or Arrest # |
| ➤ Aggravated Assault | Offense # or Arrest # |
| ➤ Burglary / B&E | Offense # or Arrest # |

Rules and Regulations

➤ Larceny	Offense # or Arrest #
➤ Uttering	Offense # or Arrest #
➤ MV Theft	Offense # or Arrest #
➤ Forgery / Counterfeiting	Offense # or Arrest #
➤ Fraud	Offense # or Arrest #
➤ Vandalism	Offense # or Arrest #
➤ Weapon Violation	Offense # or Arrest #
➤ Drug Law Violation	Offense # or Arrest #
➤ Offenses against Family	Offense # or Arrest #
➤ O.U.I.	Offense # or Arrest #
➤ Disorderly Conduct	Offense # or Arrest #
➤ Relay Person / Property	Log Entry
➤ Officer Invest	Offense # or prior Offense # / Arrest #
➤ Arrest	Arrest #
➤ Summons Delivery	Log Entry
➤ General Offense	Log entry
➤ Civil Complaint	Offense #
➤ Juvenile Offense	Offense #
➤ Missing Person	Offense #
➤ Missing Property lost/found	Offense #
➤ Disturbance Family	Offense # or Arrest #
➤ Disturbance Gathering	Offense # or Arrest # If contact made
➤ Disturbance General	Offense # or Arrest # If contact made
➤ Noise Complaint	Offense # or Log Entry
➤ Annoying Phone Calls	Offense #
➤ Suspicious Activity	Offense # or Log Entry
➤ General Services	Log Entry
➤ Assist Citizen	Log Entry or Field Interview
➤ Building Check	Log Entry
➤ Animal Complaint	Offense # or Log Entry
➤ Assist Town Department	Log Entry or Offense # if report needed

Rules and Regulations

➤ Funeral Escort	Log Entry
➤ Emergency Services	Log Entry
➤ Reported Death	Offense #
➤ Mental Health Issue	Offense #
➤ Burglar Alarm	Log Entry
➤ Assist Other Agencies	Log Entry or Offense # if report needed
➤ Traffic M.V. Complaint	Log Entry or Offense # if report needed
➤ Illegal Operation of a MV	Offense # or Arrest #
➤ Radar Assignment	Log Entry
➤ Motor Vehicle Stop	Log Entry, Arrest # / Offense # or Field Interview #+
➤ Leaving the Scene of Accident	Accident # and Offense #
➤ M.V. Accident	Accident #
➤ Abandoned Vehicle	Log Entry or Offense #
➤ Radar Trailer Deployed	Log Entry
➤ Lost / Stolen Plate	Offense #
➤ Investigation	Offense # or Arrest #
➤ Field Sobriety Testing – No Arrest	Offense #

1. Calls that normally only require a log entry shall utilize Offense # if a written report is deemed appropriate.

RULE 13.2 - FALSIFYING RECORDS

Employees, both sworn and non-sworn, shall not knowingly enter or cause to be entered upon a police report or police record, any inaccurate, false or improper information.

RULE 13.3 - FEIGNING ILLNESS OR INJURY

Employees, both sworn and non-sworn, shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive the department as to the condition of their health. Employees medical records shall be kept confidential.

Rules and Regulations

RULE 13.4 - REPORTING CITIZEN COMPLAINTS

Employees, both sworn and non-sworn, shall promptly and courteously make a written record of any formal complaint made by a citizen against themselves or any employee of the department. A formal complaint is defined as one in which a citizen fills out and files a written complaint on a designated departmental form. A supervisor may try to resolve the complaint; however, they shall not try to discourage any citizen from filing a complaint with the department. In any event all complaints, formal and verbal, shall be brought to the attention of the on-duty supervisor who shall determine its level of documentation.

Employees shall follow the department's policy and procedure for receiving and processing citizen complaints.

RULE 13.5 - REPORT RULE VIOLATIONS

Employees, both sworn and non-sworn, shall, upon observing or otherwise becoming aware of a violation by another officer or employee of the department's Rules and Regulations or Policies and Procedures, as set forth in this Manual or by other departmental directives or as governed by law, report said violations to their superior officer who will be responsible for appropriate action, report submission and follow-up.

14.0 – FITNESS FOR DUTY

Police employees, both sworn and non-sworn, must be physically and psychologically fit to perform his or her public safety functions, especially since police employees are authorized to make arrests and carry firearms. If an employee is not fit, not only that employee, but also other employees as well as the general public may be jeopardized.

A police chief has the authority and, indeed, the duty to determine an employee's continuing fitness to perform police duties or to return to full working status. Requiring that an employee submit to an ordinary physical or psychological examination, in order to determine the employee's fitness for duty, does not constitute an unwarranted invasion of personal privacy or a violation of due process. The department will treat all medical records and information in a confidential manner as prescribed by law.

The Chief of Police may, **upon reasonable cause**, order any officer of the department to submit to a physical or psychological examination on a periodic basis or whenever circumstances dictate that it is in the best interests of the employee and/or the Department. [22.3.1]

Employees shall maintain a level of physical fitness that enables them to perform all of the necessary functions of their job/position.

Any action associated with this rule shall be in accordance with applicable bargaining agreements.

RULE 14.1 - ABSENCE

Employees, both sworn and non-sworn, shall not be absent from duty without permission. The Chief of Police or his designee may excuse an employee from reporting or being present for duty. All unauthorized absences shall be investigated by the Commanding Officer and shall be reported to the Chief of Police or his designee for appropriate action.

RULE 14.2 - SICK LEAVE

Employees, both sworn and non-sworn, shall utilize sick leave for personal illness or physical incapacity only when thereby rendered unable to perform the duties of an

Rules and Regulations

officer's present position. Compensation for sick leave shall be in accordance with the current contract language.

RULE 14.3 – DOCTOR'S CERTIFICATE

Employees, both sworn and non-sworn, shall provide a certificate from a doctor, if required by the Chief of Police, for an absence from duty because of sickness or injury.

RULE 14.4- NOTIFICATION

Employees, both sworn and non-sworn, shall notify the Chief of Police or his designee when there is a change in an employee's physical or mental health that could disqualify or temporarily prevent the individual from being assigned to duty by the department.

RULE 14.5 – POSSESSION OR USE OF ALCOHOL

Employees, both sworn and non-sworn, shall not possess and/or use alcohol on duty other than in an authorized duty capacity. Employees shall not report for duty or be on-duty while under the influence of intoxicating liquor or with an odor of alcoholic beverage on their breath.

RULE 14.6– OFF DUTY USE OF ALCOHOL

Employees, both sworn and non-sworn, shall not consume alcoholic beverages off duty to the extent that their conduct is obnoxious or offensive and discredits them or the department.

Employees while off duty shall not consume alcoholic beverages or medication to the extent that they are unfit to report for their next regularly scheduled tour of duty.

RULE 14.7 – USE OF TOBACCO

Employees, both sworn and non-sworn, appointed after January 1, 1988 shall not smoke or use tobacco products of any kind whether on or off-duty. Whoever violates said statute is subject to dismissal as specified in **Chapter 41 section 101A of the Massachusetts General Laws**.

Rules and Regulations

RULE 14.8 - CONTROLLED SUBSTANCES

Employees, both sworn and non-sworn, shall not possess and/or use on or off-duty any controlled substances, except with the approval and guidance of a licensed physician and with the knowledge of the Chief of Police. **(Refer to Rule 14.10 Recreational/Medical Use of Marijuana)**. Employees shall not use, abuse or be under the influence of a controlled substance where such use or influence impairs or compromises the efficiency and integrity of the employee, the department or the municipality.

Employees shall not bring, place, or permit to be brought or placed, or allow to be kept in any building, location or vehicle of the department, any intoxicant, exhilarant, hypnotic, hallucinogen, or narcotic, except in the strict performance of police duty, e.g. evidence, etc., or when it is needed for administration by, or at the direction of a licensed physician, and then only after notification to and approval from the Chief of Police or his designee.

RULE 14.9 - LINE-OF-DUTY DISABILITY

Employees, both sworn and non-sworn, shall promptly report in writing any injury, illness or disability incurred in the line of duty, to the Chief of Police or his designee. Employees shall submit such report prior to the end of an employee's shift unless the seriousness of the injury prevents such notice. In such case notice will be made as soon as the employee is physically able to do so. Departmental forms and insurance claim forms will be utilized for notification and application purposes as the Chief of Police may direct. Final disposition as to line-of-duty injuries, illness, or disabilities shall be made by the Chief of Police who may consult with a physician. In each case of illness, injury or disability incurred in the line-of-duty, the Chief of Police may require that an employee shall not be returned to duty until his or her ability to be placed on full duty status is certified by proper medical authority.

INFORMATION FOR VOTERS

TOWN OF GROTON (MA)



**2021 BALLOT QUESTION
TOWN ELECTION
MAY 25, 2021**

**Published by:
Michael F. Bouchard
Town Clerk of the Town of Groton**

Town of Groton (MA)
2021 Annual Town Election
Voting Information

- **Annual Town Election**
 - Groton is holding its Annual Town Election on **Tuesday, May 25, 2021**
 - Polls will be open from 7:00 AM to 8:00 PM
 - Polling Locations:
 - Precinct 1: Groton Senior Center, 163 West Main Street (Route 225)
 - Precinct 2: Groton Dunstable Middle School North, 344 Main Street
 - Precinct 3: Groton Dunstable Middle School North, 344 Main Street

- **Purpose of the Annual Town Election**
 - All Town Offices and Question 1, a Proposition 2 1/2 override debt exclusion question to fund the construction of an elementary school.
 - Question 1 is explained in this brochure.

- **Absentee Ballots**
 - Absentee ballots are available.
 - The last day and hour to request an absentee ballot by appointment is Monday, May 24 at 12:00 Noon.
 - The last day and hour to request an absentee ballot by mail is Wednesday, May 19 at 5:00 PM.
 - Please allow time for mailing or be prepared to vote in the Town Clerk's office.

- **Early Voting**
 - Early Voting by Mail is available. The last day and hour to request an Early Ballot by Mail is Wednesday, May 19 at 5:00 PM.
 - Early Voting in Person will be available during Town Clerk business hours from Monday May 17 through Thursday May 20. Business hours are Monday 8 AM to 7 PM, and Tuesday through Thursday 8 AM to 4 PM.

- **Voter information**
 - If you would like to check on your voter registration, polling location or have another voting related question, please contact the Town Clerk's office
 - Office: 978-448-1100
 - Email: Townclerk@grotonma.gov
 - Web: www.grotonma.gov

- **Annual Town Election Information**
 - Please visit our web site at www.grotonma.gov
 - Look under Government for Election Information and then select Town Elections

BALLOT QUESTION INFORMATION
For May 25, 2021 ANNUAL TOWN ELECTION
Question 1: Debt Exclusion Proposition 2½ Override

As authorized by Chapter 53, section 18B of the General Laws

WHY ARE YOU RECEIVING THIS INFORMATION?

In towns that accept the provisions of section 18B, as Groton did by vote of the 2015 Spring Town Meeting, the Select Board is required to print and mail to each household where a registered voter resides information relating to each question that will appear on the town election ballot. The information must include (1) the full text of each question; (2) a fair and concise summary of each question, including a one sentence statement describing the effect of a yes or no vote, prepared by the town counsel; and (3) arguments for and against each question, which may not exceed 150 words. When a voter question will appear on the ballot, the statute provides for a request by the town counsel for "written arguments from the principal proponents and opponents of the question," with a notice period of at least 7 days. The statute also provides that the principal proponents and principal opponents shall be the persons determined by the town counsel to be best able to present the arguments for and against the question. If no argument is received from a proponent or opponent, an argument must be prepared by the town counsel.

Ballot Question #1:

Shall the Town of Groton be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued for the purpose of funding the design and construction of a new kindergarten through fourth grade elementary school with an approximate square footage of 109,855 square feet located at 342 Main Street in Groton, Massachusetts, inclusive of abatement and demolition of the existing school structures on said property, new parking lots, relocation and construction of the existing track, various other site improvements, and all other costs incidental and related thereto?

YES _____ NO _____

Summary of Question #1:

This question is being presented to the voters in order to authorize the Town to raise by taxation, outside of the limits imposed by Proposition 2 ½, the annual debt service to pay for construction of a new elementary school. The appropriation of funds for this project is on the Warrant for the 2021 Spring Annual Town Meeting. Pursuant to Massachusetts General Laws Chapter 59, Section 21C, Town Meeting may, by two-thirds vote, seek voter approval at a regular or special election to assess taxes for debt service of a particular project in excess of the amount allowed annually under Proposition 2½. The maximum amount a city or town may levy in a given year is generally referred to as the **levy limit**. However, under the law, the voters may vote by ballot to allow the amount required for annual debt service on projects approved at Town Meeting to exceed the Proposition 2½ limits. This ballot question is for a so-called "debt exclusion," for a debt expected to be 25 years.

The Florence Roche Elementary School was constructed in 1955; an addition was constructed in 1988, and various modular classrooms were incorporated from 1996 through 2001 to address a growing student population. There are currently 100 plus Groton Elementary School students who are bused and attend Swallow Union in Dunstable. In early 2019, the Massachusetts School Building Authority ("MSBA") invited the Florence Roche School Project into a feasibility study to identify and study possible solutions through a collaborative process with the MSBA to reach a mutually agreed-upon solution for the Florence Roche Elementary School. The MSBA is an independent public authority that administers and funds a program for grants to eligible cities, towns, and regional school districts for school construction and renovation projects. A feasibility study was conducted by the District and the Florence Roche Elementary School Building Committee from July 2019 through December 2020. The agreed-upon solution between the District and the MSBA is for the design and construction of a new kindergarten through fourth-grade elementary school with an approximate square footage of 109,855 square feet located at 342 Main Street in Groton, including abatement and demolition of the existing school structures on said property, new parking lots, relocation and construction of the existing track, various other site improvements, and other incidental and related costs such as design and management fees, furniture, equipment, and technology. Upon completing the project, all Groton Elementary School students attending Swallow Union would return to the New Florence Roche Elementary School.

The total project budget, minus approved CPA funds of \$1,405,374, is \$76,495,360. (Note that if the CPA funding for the construction of the new track is not approved at the 2021 Spring Annual Town Meeting, the total project budget will be \$77,900,734.) At the May 1, 2021, Groton Annual Spring Town Meeting, this project's appropriation was voted on. The Town is eligible for an estimated maximum facility grant from the MSBA of \$26,102,575. While the actual bonding costs and results are subject to timing and a variety of market events and therefore are specifically unknown at this time, the Town's financial officers advise voters that such an appropriation might then translate into a potential annual debt service of \$3,026,750 per year. These financial officers further advise voters that the impact to the tax rate could then be estimated in the approximate range of \$1.52 per thousand valuation and that such a tax rate number could theoretically amount to an estimated \$771 per year on the average tax bill for a home valued at \$507,000 for an approximate estimated total cost of \$19,940 to the average tax bill over twenty-five years.

Effect of a Yes or No Vote:

A YES VOTE will allow the Town to pay the annual debt service required by the bonds issued to construct a new elementary school outside of the limits of the Proposition 2½ levy limit and be eligible for Massachusetts School Building Authority reimbursement for a portion of the costs.

A NO VOTE will not allow the Town to borrow the funds necessary to construct a new elementary school.

Arguments In Favor And Against Question #1:

IN FAVOR: A YES vote

Florence Roche School is 70 years old and has outlived its life expectancy. The condition has propelled this project ahead of hundreds of applicants into the Massachusetts School Building Authority Program. Some of the deficiencies include leaking windows/roofs, failing heating systems/no regulation, inadequate fire prevention, and improper security for today's safety concerns. Mechanical systems parts are discontinued making repairs difficult and costly. The current Florence Roche School no longer provides our youngest Groton students with a safe and comfortable learning environment. Groton will receive approximately 26.1 million dollars of State reimbursement with the tax impact (\$64/month) in FY2025. If this project is not approved at Groton Town Meeting and Spring Town ballot, Groton taxpayers will not receive reimbursement from the Massachusetts School Building Authority. This will not avoid the necessity of rebuilding this school but rather forfeit the State reimbursement of 26.1 million dollars. Vote yes. It's time to rebuild!

AGAINST: A NO vote

Vote "No" on the school construction project to reduce the rate of tax increases in Groton.

The construction of a new K-4 elementary school will cost approximately \$77.9 million. With expected MSBA reimbursement and CPA funding, the bondable cost to Groton taxpayers will be approximately \$50.4 million, to be paid over 25 years. This project will add an estimated \$771 in annual tax burden to the average Groton house starting FY2025, which house already faces a 2021 average tax bill of \$8,907. Taxes have risen steadily in recent years. Taxpayers already carry a total debt exclusion tax burden of over \$2 million in payments for 2021, supporting the recent construction of The Center, the Center Fire Station, the DPW facility, and Regional School District debt. DOR records show Groton taxes consistently rank 44th – 49th highest average single family tax burden in the state since 2012. Please vote no.

SAMPLE BALLOT TO BE INSERTED HERE

**TOWN OF GROTON
COMMITTEE INTEREST FORM**

Town Government needs citizens who are willing to give time in the service of their community. If you are interested in serving, on a voluntary basis, on boards and committees within the Town, please complete this form and return to:

**TOWN OF GROTON
SELECT BOARD
173 MAIN STREET
GROTON, MA 01450-1237**

Date: _____

Name _____
First M.I. Last

Address _____

Mailing Address (if different) _____

Circle One GROTON, 01450 WEST GROTON, 01472

Telephone No. (home) _____ (cell) _____

Preferred e-mail Address _____

Occupation _____

Background _____

Town activities/issues, which interest you:

Specific committees or positions in which you are interested:

Town of Groton
Select Board
173 Main Street
Groton, MA 01450

PRRST STD
U.S. Postage
PAID
Groton, MA 01450
PERMIT #3

RESIDENTIAL POSTAL PATRON GROTON, MA



RESTRICTED APPRAISAL REPORT ON:
PROPOSED EASEMENTS ON GROTON COUNTRY CLUB
94 LOVERS LANE
GROTON, MASSACHUSETTS



Prepared For: Kevin and Christine Lindemer
227 Boston Road
Groton, MA 01450

Prepared By: HOWARD S. DONO & ASSOCIATES, INC.
217 West Boylston Street
West Boylston, MA 01583

As of: April 3, 2021

HOWARD S. DONO & ASSOCIATES, INC.

Real Estate Appraisers & Consultants



Howard S. Dono, MRA, IFAS, ASA
President /CEO
Joseph R. Evangelista, RA
Senior Partner
Joseph R. Cutley, Jr., MBA, MRA, ASA
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West Boylston, MA 01583
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Website: Howardsdono.com

April 13, 2021

Kevin and Christine Lindemer
227 Boston Road
Groton, MA 01450

**RE: Restricted appraisal report of proposed easements on Groton C.C.
 94 Lovers Lane, Groton, MA & benefitting 227 Boston Road, Groton
 File No. 21040022**

Dear M/M Lindemer:

We are pleased to submit this restricted appraisal report on the above referenced property. The purpose of this restricted appraisal is to provide an opinion of the market value of the proposed easements in the subject's "as is" condition. The intended users are Kevin & Christine Lindemer and the Board of Selectmen for the Town of Groton. Its intended use is for easement negotiation purposes. The legal interest appraised is the fee simple estate. The date as of which the value estimate shall apply is April 3, 2021, the date of our inspection of the subject property.

It is our considered opinion that there is no damage to the subject golf course likely to result from the granting of easements and proposed construction and that the value easement is nominal; that is, the damages do not result in any change in highest and best use of the granting parcel.

The scope of the restricted appraisal is limited and therefore excludes steps customarily performed by our peers in the reporting of, but not the valuation of, properties such as the subject. The scope of work is suitable to produce a credible appraisal in a restricted, concise format but may not contain supporting rationale for all of the opinions and conclusions set forth in the report. The use of this report is therefore restricted to the intended users until such a time as an appraisal is requested without such restrictions. This appraisal assignment has been performed and completed in compliance with USPAP, the Code of Professional Ethics, the Standards of Professional Appraisal Practice of the Appraisal Institute, the Massachusetts Board of Real Estate Appraisers, the American Society of Appraisers, and the specific requirements of the client. Within the past three years we believe neither the appraiser(s) nor Howard S. Dono & Associates, Inc. performed any services related to the subject of this report.

April 13, 2021
Letter of Transmittal, Page 2
Groton Country Club Easements, Groton, MA
Appraised for Kevin & Christine Lindemer



Subject to all conditions and explanations contained in the accompanying report, our opinion of the market value of the fee simple interest in the subject easements, "as is", expressed in terms of financial arrangements equivalent to cash, as of April 3, 2021, is:

TWO THOUSAND THREE HUNDRED DOLLARS
(\$2,300.00)

Extraordinary Assumptions and Hypothetical Conditions: Please refer to page 7 of this report on extraordinary assumptions related to highest and best use conclusions imposed by the intended users.

This is a 41-page report in pdf format, including addenda. It consists of a cover letter, 2-page letter of transmittal, table of contents, 27 numbered pages, and 10 addenda pages (qualifications of the appraisers, engagement letter, and the proposed easement plan).

Respectfully Submitted,

HOWARD S. DONO & ASSOCIATES, INC.

Joseph E. Flanagan, Candidate for Designation, Appraisal Institute
Senior Commercial Appraiser
Massachusetts Certified General Real Estate Appraiser #1936

As review/supervising appraiser, I certify that I have reviewed the content, analysis and conclusion expressed in this report and concur with the final value estimate.

Howard S. Dono, MRA, IFAS, ASA
Supervising / Review Appraiser
Massachusetts Certified General Real Estate Appraiser #1204



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 Qualifications of the Appraisers
 Engagement Letter
 Easement Plan (prepared by Dillis & Roy Design Group)

SUMMARY OF SALIENT FACTS AND CONCLUSIONS

Property Information

Property Name:	Groton Country Club
Address:	94 Lovers Lane, Groton, MA
Tax Identification:	Map 115, Block 34, Lot 0
Property Type:	9-hole golf course
Owner of Record:	Town of Groton
Registry of Deeds:	Middlesex Southern District
Legal Reference:	Book 20265 Page 302
Most Recent Sale Date:	December 15, 1989
Most Recent Purchase Price:	\$1,900,000
Sales / Listings / Agreements:	None in last 3 years

Site Characteristics

Land Area:	62.0± acres
Flood Hazard Zone:	Apparently no
Soil Type:	Raynham silt soil to Tisbury silt loam
Zoning Designation:	Residence-Agricultural (R-A)
Usable Area:	Subject to extraordinary assumptions

Highest and Best Use

As Improved:	Assumed to be as currently improved.
As if Vacant:	Assumed ANR subdivision into house lots
User as if vacant:	Speculative investor

Valuation Information

Property Interest Appraised:	"As is" fee simple estate
Effective Date of Appraisal:	April 3, 2021, date of inspection
Exposure Time / Marketing Period:	<12 months / < 12 months

Value Conclusion

Severance to Groton Country Club:	\$0.00
Cost to Cure:	\$0.00
Value of Permanent Sewer Easement:	\$1,215.00
Value of Temporary Access Easement:	\$1,043.00
Total Rounded Value of Easements:	\$2,300.00

Extraordinary Assumptions and Hypothetical Conditions

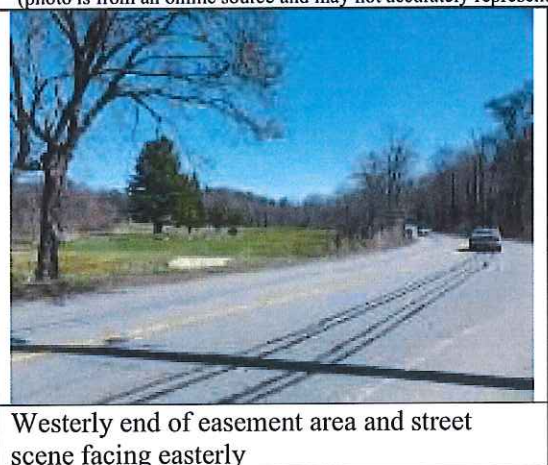
Please refer to page 7 of this report on extraordinary assumptions related to highest and best use conclusions imposed by the intended users.

SUBJECT PHOTOGRAPHS

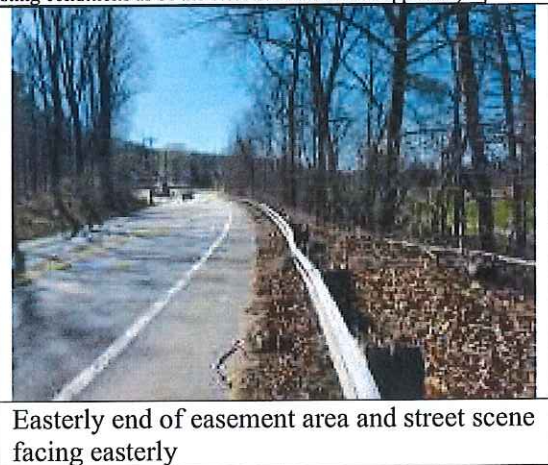
AERIAL PHOTOGRAPH OF TAKING AREA (7TH FAIRWAY ALONG BOSTON ROAD)



(photo is from an online source and may not accurately represent existing conditions as of the effective date of this appraisal)



Westerly end of easement area and street scene facing easterly



Easterly end of easement area and street scene facing easterly

SCOPE OF WORK

Prior to accepting this appraisal assignment, the appraiser was fully aware of the type of property to be appraised, the geographical and market area in which the subject property is located, and the nature of the appraisal problem. The appraiser has broad experience in appraising golf courses and easements, both negotiated and taken by eminent domain, in the subject region. Compliance with the competency provision, as described in the Uniform Standards of Professional Appraisal Practice, is understood. The scope of work is intended to be in compliance with the Uniform Standards of Professional Appraisal Practice (USPAP), the Code of Professional Ethics, the Standards of Professional Appraisal Practice of the Appraisal Institute, the Massachusetts Board of Real Estate Appraisers, the American Society of Appraisers, and the specific requirements of the client.

It is the intent of this report to communicate a market value appraisal, in narrative fashion, based upon gathering, presenting, and analyzing various pertinent market data. The depth and extent of the scope of this report reflect the prior agreement of the client and appraiser.

The client has ordered a restricted appraisal report to answer questions posed by the Groton Board of Selectmen for reference when considering support for a town meeting article approving granting the easements that are the subject of this report. Further, it is understood that this appraisal may be used in negotiating payment for this easement. The questions asked by the board of selectmen (namely, will the golf course be damaged and what is the value of the easements based on house lot value) assume that a) the golf course is highest and best use and b) that the area of proposed easements have a highest and best use as house lots. These are assignment conditions imposed by the client.

The scope of the appraisal includes the following:

- Discussing the project with the client prior to accepting the appraisal assignment.
- Meeting with the client on-site to discuss the project, tape measure easement locations, and photograph proposed easements.
- Communicating with Frank McPartlan, PE, Senior Civil Engineer with the design group Dillis & Roy regarding the easement plan and construction details.
- Adopting the extraordinary assumption that the subject 9-hole golf course is highest and best use as opposed to some alternate use.
- Considering the likelihood or need that the proposed easement areas would be used in any way other than currently used.
- Considering the likelihood that the project would result in costs to cure damages or result in severance damage to the golf course.
- Concluding an opinion as to whether there is any form of severance or cost to cure to the golf course resulting from the project and extending that analysis to the valuation of the easements themselves.
- Analyzing the soils to determine whether accepting the Town of Groton's position that highest and best use of the land as if vacant is simply an extraordinary assumption or a hypothetical condition.

SCOPE OF WORK

- Writing a project summary for communication with the Town of Groton and considering the response prior to concluding damages.
- Emailing the project summary to the Town Manager, as the representative of Groton Country Club, for feedback on the accuracy of the work and the appraisers' initial impression of the impact of the project on Groton County Club.
- Calculating the number of (potential) house lots that could be legally subdivided from the Boston Road frontage and the lot sizes necessary for house lots to be developed.
- Researching and confirming sales data to determine a range of lot values and the resulting per square foot value range for the easement areas themselves.
- Researching rates of return for calculating temporary easement value, concluding per square foot value, and concluding value of the temporary construction easement area.
- Analyzing and concluding a diminution in the fee simple value of the permanent easement area.
- Concluding value, writing the restricted appraisal, and delivering the appraisal to the client.

The scope of the appraisal excludes the following:

- Analysis of highest and best use by analyzing the subject's existing schedule of use in light of its physical, legal and market area characteristics.
- Support for all of the opinions and conclusions that would be included in an unrestricted appraisal.
- Conclusion of an overall subject value either as currently used or as if vacant.

CERTIFICATION

I certify that, to the best of my knowledge and belief:

1. To the best of our knowledge and belief, the statements of fact contained in this restricted appraisal report, upon which the analyses, opinions, and conclusions expressed herein are based, are true and correct.
2. Joseph E. Flanagan made a personal inspection of the property that is the subject of this report. Howard S. Dono, MRA, IFAS, ASA has not inspected the subject property in conjunction with the review appraisal function. Details of the extent of inspection have been incorporated in the body of this report.
3. The reported analyses, opinions, and conclusions are limited only by the reported contingent and limiting conditions, and are my personal, unbiased professional analyses, opinions and conclusions.
4. I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.
5. Neither this restricted appraisal assignment nor my compensation is contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
6. My analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with and is subject to the requirements of the Code of Professional Ethics and the Standards of Professional Practice of the Massachusetts Board of Real Estate Appraisers, the American Society of Appraisers, and the Appraisal Institute and conforms to the Uniform Standards of Professional Appraisal Practice (U.S.P.A.P.).
7. No one other than the undersigned provided significant professional assistance to the persons signing this report.
8. The appraisal assignment was not based on a minimum valuation, a specific valuation, or the approval of a loan.
9. The appraiser certifies that he is competent to complete the appraisal report in accordance with the competency provision of the Uniform Standards of Professional Appraisal Practice.
10. Disclosure of the contents of this restricted appraisal report is governed by the bylaws and regulations of the Massachusetts Board of Real Estate Appraisers, the American Society of Appraisers, and the Appraisal Institute relating to review by its duly authorized representatives.


CERTIFICATION

11. As of the date of this report, I Joseph E. Flanagan, have completed the Standards and Ethics Education Requirements for Candidates of the Appraisal Institute.
12. Within the past three years we believe neither the appraiser(s) nor Howard S. Dono & Associates, Inc. performed any services related to the subject of this report.
13. The proposed easements herein described and defined, which is the subject of this restricted appraisal report, was valued as of April 3, 2021 at \$2,300.00 "as is".



Joseph E. Flanagan, Candidate for Designation, Appraisal Institute
Senior Commercial Appraiser
Massachusetts Certified General Real Estate Appraiser #1936

As review/supervising appraiser, I certify that I have reviewed the content, analysis and conclusion expressed in this report and concur with the final value estimate.



Howard S. Dono, MRA, IFAS, ASA
Supervising / Review Appraiser
Massachusetts Certified General Real Estate Appraiser #1204

**EXTRAORDINARY ASSUMPTIONS AND HYPOTHETICAL
CONDITIONS**

EXTRAORDINARY ASSUMPTIONS AND HYPOTHETICAL CONDITIONS

An extraordinary assumption is an assumption, directly related to a specific assignment, which, if found to be false, could alter the appraiser's opinion or conclusions. A hypothetical condition is a condition that is contrary to what exists but is supposed for the purpose of analysis.

No hypothetical conditions were required for the completion of the appraisal assignment.

However, two extraordinary assumptions are necessary based on the assignment conditions imposed by the intended users:

1. The highest and best use may or may not be as a 9-hole golf course. Making that determination would require the appraisal of the golf course itself which falls outside the scope of work required of this assignment.

2. Appraising the Boston Road frontage as house lots appears to overstate their utility. While five house lots can legally be subdivided into buildable lots, there is no engineering to show that these lots are buildable; in fact, our analysis of available wetlands and soil survey information implies there may be very limited building potential.

This appraisal is contingent only on the general contingent and limiting conditions on the following pages.

GENERAL CONTINGENT AND LIMITING CONDITIONS

This restricted appraisal report, the Letter of Transmittal and the Certification of Value are made expressly subject to the following assumptions and limiting conditions contained in the report which are incorporated herein by reference.

1. No responsibility is assumed for matters legal in nature, nor is any opinion rendered as to title, which is assumed to be marketable. The legal description contained in this report is assumed to be correct.
2. The Appraisers have made no survey of the property and no responsibility is assumed in connection with such matters. Unless otherwise indicated, the sketches contained in this report were not completed by an engineer and are included only to assist the reader in visualizing the property.
3. No title search was completed in connection with this restricted appraisal report. Therefore, no responsibility is assumed for matters of a legal nature affecting title to the property nor is an opinion of title rendered in this report. The title is assumed to be good and marketable.
4. Information furnished by others is assumed to be true, factually correct and reliable. A reasonable effort has been made to verify such information but the Appraisers assume no responsibility for its accuracy.
5. All mortgages, liens, encumbrances, leases and solitudes have been disregarded unless so specified within this report. The property is appraised as though under responsible ownership and competent management.
6. It is assumed in this report that there are no hidden or unapparent conditions of the property, subsoil, or structures that would render it more or less valuable. No responsibility is assumed for such conditions or for engineering, which may be required to discover them.
7. It is assumed that there is full compliance with all applicable federal, state and local environmental regulations and laws unless non-compliance is stated, defined and considered in the restricted appraisal report.
8. It is assumed that all applicable zoning and use regulations and restrictions have been complied with unless non-conformity has been stated, defined and considered in the restricted appraisal report.
9. It is assumed that all required licenses, consents or other legislative or administrative authority from any local, state or national governmental or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.
10. It is assumed that the utilization of the land and the improvements is within the boundaries or property lines of the property described and there is no encroachment or trespassing unless noted within this report.
11. In this restricted appraisal report, the existence of potentially hazardous material used in the construction or maintenance of any existing buildings, such as the presence of urea-formaldehyde foam insulation and/or the existence of toxic waste, was not observed by the appraiser. The appraisers, however, are not qualified to detect such substances. The existence of urea-formaldehyde insulation or other potentially hazardous waste material may have an effect on the value of the property. The appraiser urges the client to retain an expert in the field, if desired. Please note the information supplied in the Site Description - Hazardous Substances Section.
12. In this restricted appraisal, compliance with the Americans with Disabilities Act (ADA) accessibility requirements has been considered. Unless otherwise noted in this report, no information was obtained to indicate compliance or lack thereof to ADA accessibility requirements. The appraiser is not qualified to conduct an ADA accessibility assessment and urges the client to retain an expert in this field if desired.

GENERAL CONTINGENT AND LIMITING CONDITIONS

13. The appraiser will not be required to give testimony or appear in court because of having made this appraisal, with reference to the property in question, unless arrangements have been previously made prior to the completion of this assignment.
14. Possession of this report, or a copy thereof, does not carry within the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraiser.
15. The distribution of the total valuation in this report between land and improvements applies only under the reported highest and best use of the property. The allocation of land and improvements in value must not be used in conjunction with any other appraisal and/or is invalid if so used.
16. Neither all nor any part of the contents of this report or copy thereof, shall be conveyed to the public through advertising, public relations, news, sales or any other media without the written consent and approval of the Appraisers nor shall the Appraisers, firm or professional organization of which the Appraisers are members or candidates be identified without written consent of the Appraisers.
17. The land area of the sales considered in the sales comparison approach were verified with public records from the Board of Assessors, the real estate brokers, the grantor and the grantees. However, the appraisers have not conducted field measurements of the comparable sale properties.
18. The term "inspection", or any variation thereof, is commonly used by our peers to mean our visual observation of the accessible areas of the property as real property appraisers and is not intended to represent inspection by a trade professional unless specifically noted. We have not been hired to, nor are qualified to, determine structural or mechanic defects.
19. Our conclusions of highest and best use are based on the complexity of the assignment, the purpose of the appraisal, and the intended use and user. A full analysis of highest and best use concludes with the identification of the ideal improvement both "as if vacant" and "as currently improvement". Such analyses typically require professionally prepared site plans, architectural renderings, and cost quotes. When such documentation is not provided it is assumed that the client has agreed to a limited analysis of highest and best use.
20. This is a "Restricted Appraisal Report" per USPAP and has been prepared at the request of the client mindful of the complexity of the assignment, the intended use and users, and the scope of work required per the terms of our engagement.

PURPOSE OF THE APPRAISAL

The purpose of this restricted appraisal is to provide an opinion of the market value of the proposed easements in the subject's "as is" condition.

INTENDED USE AND USER

The intended use of this appraisal report is for easement negotiation purposes. The intended users are Kevin & Christine Lindemer and the Board of Selectmen for the Town of Groton. Any other use or user is unintended and Howard S. Dono & Associates, Inc. assumes no liability for its use by anyone other than the client or for any use other than the intended use.

EFFECTIVE DATE OF VALUATION

The property was physically inspected on April 3, 2021, which is the date of our market research. The effective date of valuation, therefore, is April 3, 2021.

LEGAL INTEREST APPRAISED

The legal interest appraised herein is the fee simple estate in the land and improvements. A fee simple estate is defined as follows:

Absolute ownership unencumbered by any other interest or estate subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.¹

¹ Appraisal Institute, Dictionary of Real Estate Appraisal, 6th edition, 2015, p. 90.

DEFINITION OF VALUE

As indicated previously, the purpose of this appraisal is to provide an opinion of the market value of proposed easements. The definition of market value is:

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently, and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. buyer and seller are typically motivated;
2. both parties are well informed or well advised, and acting in what they consider their own best interest;
3. a reasonable time is allowed for exposure in the open market;
4. payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto;
5. the price represents the normal consideration for the property, sold unaffected by special or creative financing or sales concessions granted to anyone associated with the sale. ²

² As defined by the Office of the Controller Currency Rule 12 (FR34.443(F)).

PRODUCTIVITY ANALYSIS

Location Analysis

The intended users of this report are intimately familiar with Groton and its environs and a full write-up is not needed. Briefly, Groton is a well-managed highly desirable residential town and bedroom community. Boston Road is a high traffic numbered commuter access road. For the subject's current use, a golf course, it is both centrally located and easily accessible by the region via Interstate 495 and, to a lesser extent, Route 2. As a residential site, the subject's high traffic location is less desirable than quieter roads but is superior to much of Groton in terms of commuter time. Assuming the subject golf course is profitable and house lots along the proposed easement area would be developable our analysis of supply and demand shows the subject would be marketable either as improved or vacant and available for development.

Improvement Analysis

Based on the instructions of the intended users, it is assumed for valuation purposes that highest and best use is as currently improved. Therefore, the appraiser has not inspected the subject 9-hole golf course in its entirety or any of its building improvements. The appraiser closely analyzed the location of the 7th hole tee box, fairway and putting as this is the locus of the proposed easements. At the time of this inspection, the course was in use and appeared to be a functional, but not particularly challenging or interesting 278 to 342-yard hole. This is to say that it plays straight and level from tee box to green with no hazards within the wide fairway. The fairway is screened from the road by a +/- 25-foot swath of indigenous tree and scrub growth sloping up to the grade of Boston Road and opens up and comes to the grade of the road as one nears the putting green. The proposed temporary access easement is generally clear of vegetation (and is therefore best described as fairway) and the proposed manhole and permanent easement is in the thick of the buffer.

Zoning Analysis

The Residence-Agricultural (R-A) zoning district allows golf course development by special permit and it is assumed that the subject is legal, conforming. Based on the instructions of the intended users the only use for the subject if vacant is for development as single-family house lots. The R-A zoning district requires a minimum 80,000 square foot lot size with 225 frontage feet, a 50-foot front setback and side and rear setbacks of 15 feet each. An 80,000 square foot rectangular lot with 225 frontage feet would therefore need to be a minimum of 356 feet deep.

Site Analysis

Overall, the subject contains 62.0 acres by assessment. However, as previously discussed, we are concerned only with the Boston Road frontage affected by the proposed easements. The easement plan provided by the client and included in the addenda of the report provides an engineered measurement of 1,182.19 frontage feet. Based on the 225-foot zoning requirement there is adequate frontage for five 80,000 square foot house lots. However,

PRODUCTIVITY ANALYSIS

there is every indication that fewer than five lots would be created and that any developable lot would need to be far greater than 80,000 square feet as homesites would need to be situated in excess of 400 feet from the road.

ASSESSOR'S PLAT MAP (PORTION)
(This map is only included as it is an official town map)



OLIVER, THE MASSACHUSETTS (MASSGIS) DATA VIEWER (PORTION)
(This map is included as it is scaled and provides clearer locations of ponds and wetlands)



Cady Pond is approximately 450 feet from the subject frontage. The bordering vegetative wetlands requiring a 100-foot setback and push potential development in a northwest direction. There appear to be additional wetlands as yet unidentified that would further constrain development.

PRODUCTIVITY ANALYSIS

UNITED STATES DEPARTMENT OF AGRICULTURE SOIL SURVEY
(This map is included as it shows where homes could reasonably be expected to be built)



The subject frontage soil is classified as 30B—Raynham silt loam, 0 to 5 percent slopes. The following description of the 30B soil type is excerpted from the soil survey:

This very deep, nearly level to gently sloping, poorly drained soil is in low areas of broad plains. The areas of this soil are irregular in shape and range from 6 to 50 acres in size. Most areas of this map unit are woodland. Some areas are open and idle, and a few small areas are used as cropland. This map unit has severe limitations for building site development and road construction because of the high water table. Soils that are better suited to these uses should be selected. This map unit has severe limitations for septic tank absorption fields. The seasonal high water table and restricted permeability of the substratum make installation of onsite sewage disposal systems impractical.

The soil survey shows that the suitability for development improves when homesites are pushed to the northeast where soil type 261A—Tisbury silt loam, 0 to 3 percent slopes may be reached. The following description of the 261A soil type is excerpted from the soil survey:

This very deep, nearly level, moderately well drained soil is in low areas of glacial outwash plains and terraces. The areas of this soil are irregular in shape and range from 6 to 60 acres in size. Most areas of this map unit are woodland. Some areas are homesites or cropland. This map unit has severe limitations for the construction of dwellings with basements. Constructing buildings, either without basements or above the level of the seasonal high water table, will help to avoid

PRODUCTIVITY ANALYSIS

interior damage caused by the shallow depth to ground water. Footing drains around foundations will help to remove excess subsurface water. Landscaping designed to drain surface water away from buildings will provide added protection. Susceptibility to frost action is a severe limitation for roadways. Constructing roads on well-compacted, coarse-textured base material will help protect the roads from frost damage. This map unit has severe limitations for septic tank absorption fields. A seasonal high water table and poor filtering capacity are the main limitations. As this map unit readily absorbs but may not adequately filter sewage effluent, the inadequate filtering capacity may result in the pollution of ground water. Placing distribution lines in a mound of more suitable fill material will help to overcome these limitations.

Water & sewer are available for the westernmost 690± feet of frontage. However, this is likely of little value as septic and well water would appear to be more cost effective to a speculative builder given that lot depths averaging 800 linear feet or so appears to be necessary to situate five homes off of the Boston Road frontage.

It appears to the analyst that each of the five potentially developable subject lots would average roughly four acres per lot to have the greatest potential for development.

Productivity conclusion

The analyst has concluded that the subject could not be developed with the market standard 80,000± square foot house lots due both to wetlands and restrictive soil types. It is land that would not be particularly attractive to builders due to high engineering, permitting and excessive site development costs related to its soil types and the difficulties and / or risk inherent in the deep hole testing process required to build.

HIGHEST AND BEST USE

Real estate is valued in terms of its highest and best use. Highest and best use may be defined as the most probable, possible and permissible use for which the property may be used and is capable of being used. The Appraisal Institute defines highest and best use as follows:

The reasonably probable and legal use of vacant land or an improved property that is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum profitability. Alternatively, the probable use of land or improved property – specific with respect to the user and timing of use – that is adequately supported and results in the highest present value.³

HIGHEST AND BEST USE SUMMARY

As Improved

Not applicable to the ultimate selection of comparable data. As an assignment condition it is assumed that highest and best use is as a 9-hole golf course. This said, it appears neither legally permissible (due to setback requirements) nor economic (due to functionality of the 7th hole of the golf course) to in any way expand or alter the course in the area of the proposed easements. This is an important consideration in valuing any easement.

As Though Vacant

The subject is considered subdividable into five legal, conforming lots of sufficient size (called 4.0 acres per lot) to maximize the possibility of their having value for such a use. This is an extraordinary assumption that borders on being a hypothetical condition but appears necessary given the intended use and users. We believe the most probable purchaser would be a land speculator who would immediately invest in deep hole testing and engineering and ultimately remarket the land to builders at a profit.

³ Appraisal Institute, *The Appraisal of Real Estate*, 14th edition, 2013, p. 333.

**PROJECT SUMMARY AND ANALYSIS OF ITS EFFECT
ON GROTON COUNTRY CLUB**

Prerequisite to the appraisal of any partial acquisition on a given property is an analysis of the proponent's project and any adverse effects, or special benefits, it may have on the subject prior to considering the acquisitions being requested.

Proponent's objective

The proponent intends to preserve the quintessentially New England architecture and landscape of the landmark property identified as 227 Boston Road (Assessor Map 235, Lot 1), by acquiring easements from the Town of Groton over Groton Country Club (Map 115, Lot 34), for sewer connection rather than altering the layout, topography, and aesthetic of 227 Boston Road. Despite being more cost-effective, installing additional septic systems would result in unsightly systems and necessitate other changes in existing conditions such as its historic driveway and result in an undesirable aesthetic. The proponent anticipates the addition of one single-family home and the interior conversion of the historic barn into two condominium units.

Project summary

The proponent is requesting that the Town consent to grant one permanent and one temporary easement to affect the subterranean installation of +/- 400 linear feet of 2-inch diameter SDR 11 HDPE Low Pressure sewer service with a minimum of 5 feet of cover within the limits of the out of bounds of the 7th fairway parallel to Boston Road.

The temporary easement (temporary access easement) will provide a 25-foot wide +/- 700 linear foot access lane running easterly from a point proximate to Skyfield Drive and along the layout of Boston Road. The purpose of the easement is to provide access to the work site from Boston Road in the event that access from 227 Boston Road is not feasible in order to install a sewer manhole and connection. The work will occur within one year (the easement duration) and the anticipated time the easement will be used is expected to be no more than a week. The proponent is responsible for the full and immediate restoration of any upset to the land within the easement area at the completion of the construction.

The permanent easement (permanent sewer easement) runs easterly from the proposed manhole approximately 480 linear feet and ending at the proponent's property line at 227 Boston Road; it is also 25 feet wide and runs along the layout of Boston Road. As a permanent easement the Town would be granting the rights for the sewer line to exist in perpetuity. There will reportedly be adequate sewer capacity in the new sewer line so that in the unlikely event the Town elects to convert the course to residential house lots the sewer easement would allow the town to connect as many as three house lots to this line. The easement is non-exclusive in this regard. The easement is located fully within the both out of bounds area of the 7th fairway and the Front Yard Setback for the R-A Zoning district; thus the installation of permanent site improvements (e.g. buildings) over the easement is both prohibited and unlikely to be considered. There is no prohibition to the

**PROJECT SUMMARY AND ANALYSIS OF ITS EFFECT
ON GROTON COUNTRY CLUB**

installation of site access improvements such as driveways. The soil type in the area of easements (Raynham silt loam) has severe limitations for building site development and road construction because of the high water table so the land is generally unsuitable for residential development.

The permanent sewer easement allows the following activities to occur within the easement limits in perpetuity: installation of the sewer service and appurtenances; surface access to the sewer service and appurtenances; and repair of the sewer service and appurtenances. In the event that surface access is ever needed such access can either occur within the permanent easement only or another access easement could be negotiated. In any event, repairing any damage resulting from the immediate or future use of the easement, such as loss of vegetative screening along Boston Road, is the responsibility of the proponent or its successors.

Project effect on Groton Country Club

The project so-described would have no measurable effect on a daily fee course such as the subject. Golf courses are in a constant state of maintenance, repair and upgrades. Were the course a trophy course then there might be some concern that the granting of the proposed easements could potentially result in the loss of tournament revenue. But this is not the case.

As the proponent is responsible for all repairs to any unforeseen damage caused due to construction there is an incentive to keep activity to a minimum and at times that minimize damage. Best practices protects both the grantor and the grantee of the easements.

We see no reason why Groton Country Club would ever seek to expand the course within the area of the proposed permanent easement and if it did no such expansion would be prohibited by the language of the easement.

In conclusion, we see no severance damage to Groton Country Club due to the granting of the easements or proposed construction.



VALUATION RATIONALE AND METHODOLOGY

Sales Comparison Approach	Applicable	Developed
Cost Approach	Inapplicable	Not Developed
Income Approach	Inapplicable	Not Developed

As there should be no damage to Groton Country Club the value of the easements begins with the application of the Sales Comparison Approach to conclude a per square foot value of vacant land with the subject's highest and best use – called potentially developable residential land. No valuation of the golf course itself is applicable.

The Cost Approach is inapplicable to this appraisal problem as the subject is considered to be vacant land. The Income Approach is also inapplicable as potentially developable residential land is generally not income-producing.

EXPOSURE TIME / MARKETING TIME

Our value estimates are based on an exposure time of less than 12 months, which reflects the actual marketing time of sales and our forecast for current listings, since we so see no trends implying that marketing times should increase over trailing data indications; this said, our value presumes that the subject would have been marketed for less than 12 months in order to garner the appraised value.

The appraiser notes that a realistic listing price, good location and average condition of the improvements are all significant factors in the marketability of these properties. Properties that do not meet all or most of these criteria have significant marketing periods, and often go off market before sale. Although marketing times are variable, the appraiser concludes the subject would sell in less than one year. This estimated marketing time is contingent on reasonable pricing and aggressive marketing of the subject property.

SALES COMPARISON APPROACH

Quantity and Quality of Data

Most new home construction is occurring within residential subdivisions or in planned developments such as condominiums. Developers are looking to profit on the sale of homes rather than the builder market. Suitable land for development by a builder is scarce but there appears to be a healthy demand. There appears to be a limited but sufficient quantity and quality of data available. As of the effective date of this appraisal there was only one comparable land listing:

- 66 Amelia Way was priced at \$250,000 for 280,376 square feet, or \$0.89 per square foot.

Within the past year there were only three competitive lot sales marketed under MLS:

- 244 Nashua Road sold for \$205,000; with 175,396 square feet of land area, the sales price equates to \$1.17 per square foot.
- 0 Common Road sold for \$269,000; with 108,900 square feet of land area, the sales price equates to \$2.47 per square foot.
- 166 Pepperell Road sold for \$230,000; with 85,813 square feet of land area, the sales price equates to \$2.68 per square foot.

There have been no speculative land sales so this data is weak in that regard. However, one land listing is informative as to the effect that marketing to the speculator has on value. A broker marketed an improved but tear-down property at 18 Breakneck Road. Including demolition costs of roughly \$10,000 she was asking \$219,900. It went off market after two failed deep hole tests met shale 4 feet deep (1 foot less than the requirement). She relisted at an effective \$135,000, or 64% of what she considered value. During confirmation of this listing the broker was not optimistic about finding a buyer.

The three sales provide a price per square foot range of \$1.17 to \$2.68 per square foot. This is a clear economy of scale trend where the low end of the range is for a 4-acre lot similar to the appraiser's estimate of the average subject lot size and higher prices per square foot result from smaller lots. 244 Nashua Road does not have the uncertainty of the subject, however, and it would be reasonable to conclude a value no greater than 64% of \$1.17 per square foot, or \$0.75 per square foot.

Conclusion

Given the subject property's highly speculative development potential as house lots it is our considered opinion that it has a value of no greater than \$0.75 per square foot.

VALUATION OF THE PERMANENT SEWER EASEMENT

Payments for a **Temporary Easement** is based on the market rental value of the rights taken with the present owner retaining custody and control of all other property rights within the temporary easement area.

Parcel No.	Square Footage	Rights taken
Temp. Access Easement	17,386	Temporary (1-year) access easement
Purpose of easement	Provide temporary access for the sole purposes of accessing a permanent easement area with equipment and materials necessary for manhole installation and sewer connection.	
Site Improvements taken	None noted. Site improvements, if affected, shall be restored within the construction contract.	
Adverse effects	None noted.	
Specific benefits	None noted.	

The subject property is affected by one temporary easement. The methodology used to value the subject's temporary easement is application of a ground rent for the temporary easement, and applying a capitalization (or rental) rate. The ground rent of \$0.75 per square foot has been established.

Our peers generally cite two sources for determining an appropriate rental rate. Price Waterhouse Cooper (PwC) provides quarterly reports on the single tenant net lease market. This is a useful benchmark as the rental income from the temporary easement is paid up front and there is no expenses to the property owner:

NATIONAL NET LEASE MARKET
First Quarter 2021

	CURRENT	LAST QUARTER	1 YEAR AGO	3 YEARS AGO	6 YEARS AGO
OVERALL CAP RATE (OAR)*					
Range	5.00% - 8.00%	4.00% - 8.00%	4.00% - 8.00%	5.00% - 8.50%	5.25% - 9.00%
Average	6.16%	6.22%	6.15%	6.80%	6.75%
Change (Basis Points)		-6	0	-44	-59

A current rate of 5.0% to 8.0% is reported by PwC. PwC is widely regarded as being a well-researched and reliable source of industry standards.

Realtyrates.com (Realtyrates) professes to survey a broad source of respondents and provides the following land lease survey:

VALUATION OF THE PERMANENT SEWER EASEMENT

RealtyRates.com INVESTOR SURVEY - 1st Quarter 2021*						
LAND LEASES						
Property Type	Capitalization Rates			Discount Rates		
	Min.	Max.	Avg.	Min.	Max.	Avg.
Apartments	1.63%	9.10%	5.44%	4.23%	9.60%	6.44%
Golf	1.67%	14.77%	8.04%	4.27%	15.27%	9.04%
Health Care/Senior Housing	1.67%	8.85%	6.14%	4.27%	10.35%	7.14%
Industrial	1.67%	8.97%	5.84%	4.27%	9.47%	6.84%
Lodging	1.67%	14.12%	6.54%	4.27%	14.62%	7.54%
Mobile Home/RV Park	1.34%	11.65%	6.74%	3.94%	12.15%	7.74%
Office	1.63%	8.85%	5.54%	4.23%	9.35%	6.54%
Restaurant	2.63%	14.12%	7.64%	5.23%	14.62%	8.64%
Retail	1.67%	10.10%	6.02%	4.27%	10.60%	7.02%
Self-Storage	1.67%	9.32%	6.99%	4.27%	9.82%	7.99%
Special Purpose	2.27%	16.06%	7.99%	5.60%	17.50%	8.48%
All Properties	1.34%	16.06%	6.63%	3.94%	15.27%	7.49%

This survey is interesting in that it provides a property specific range for golf courses of 1.67% to 14.77% - or 8.04% average. While Realtyrates is a less reliable survey, the average rate corresponds with the upper end of the PwC Survey and therefore provides support.

Ultimately, an 8% factor is judged most credible and is applied to the temporary access easement as follows:

Parcel No.	Value p.s.f.	X	Taking Area	X	% Factor	X	1-Year Discount Factor	=	Damages
Temporary	\$0.75	X	17,386	X	8.00%	X	1.00000	=	\$1,043

Conclusion

Damages to the fee simple interest in the subject resulting from the temporary taking of access rights from 17,386 square feet of land is concluded to be \$1,043.

VALUATION OF THE PERMANENT SEWER EASEMENT

Payments for a **Permanent Easement** is based on the permanent specific use or uses of a specific portion of a property, but not ownership in the fee interest of said parcel.

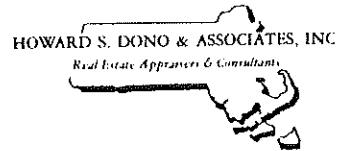
Parcel No.	Square Footage	Rights taken
Perm. Sewer Easement	12,000	Permanent surface and subsurface rights
Purpose of easement	Allow for the installation of the sewer service and appurtenances by subterranean methods; surface access to the sewer service and appurtenances as needed; and repair of the sewer service and appurtenances as needed.	
Site Improvements taken	None noted. Site improvements, if affected, shall be restored within the construction contract.	
Adverse effects	None noted.	
Specific benefits	None noted.	

Where valuation of the temporary easement simply applies a capitalization rate to 100% of the value of the fee simple interest, valuation of a permanent easement involves an analysis of the contributory values of rights being granted and deducting that value from the e.g. \$0.75 per square foot value of the fee simple interest. This is a bundle of rights subject and, more specifically, a subject of those rights that are transferable.

The subject's zoning district is intended as a district of single-family homes and for continuance of forestry and agricultural activities. It is in an area where air and subsurface rights play a minor role in value. Below, we have allocated our opinion as to the value that the various air, surface and subsurface rights, called "sticks in the bundle of rights", contribute to value and what the permanent easement takes from those rights:

Granting of the subsurface sewer easement over unencumbered land				
Rights	All	Before	After	Payment
Private (quiet) enjoyment	40%	40%	30%	10%
Development rights	40%	40%	40%	0%
Landscaping (surface) rights	5%	5%	5%	0%
Access (surface) rights	10%	10%	7.5%	2.5%
Utility rights (aerial)	2%	2%	2%	0%
Utility rights (subsurface)	2%	2%	1%	1%
Right to buy, sell and lease	1%	1%	1%	0%
Other rights (mineral, etc.)	0%	0%	0%	0%
Total	100%	100%	86.5%	13.5%
Market value/SF	\$0.75	\$0.75	\$0.65	\$0.10

The sources of damages are associated with a diminution in the value of private enjoyment, surface access, and subsurface utility rights discussed as follows.



VALUATION OF THE PERMANENT SEWER EASEMENT

As the easement is located entirely within the 50-foot setback requirement it does not inhibit the development potential and landscaping rights which we believe account for nearly half (45%) of the fee simple value of the subject.

Private enjoyment is judged to account for 40% of value and will be reduced by ¼ since at any time the need may arise to repair the sewer line. While no quiet enjoyment is anticipated during the initial installation this is not guaranteed and while a sewer line like this is apt to last no less than 50 years it remains a fact in perpetuity.

While the permanent easement does not prohibit the placement of any non-permanent site improvement over the permanent easement the act of accessing the easement area will certainly alter any non-permanent improvements and we consider this effect to result in another ¼ diminution in this fee simple right.

Multiple subsurface (utility) uses may be transferred to other parties and share easement areas. The sewer easement does not prohibit such uses (e.g., water, gas, fiberoptic, etc.) but the sewer easement takes precedence and we believe this is a 50% diminution in this relatively minor “stick” in what is called the bundle of rights.

The combined effect of the taking of the permanent sewer easement is judged to be a 13.5% loss from the \$0.75 fee simple value of the subject. The value of the taking is calculated as follows:

Parcel No.	Value p.s.f.	X	Taking Area	X	% Factor	=	Damages
Permanent	\$0.75	X	12,000	X	13.5%	=	\$1,215

Conclusion

Damages to the fee simple interest in the subject resulting from the permanent taking of subsurface and potential surface rights from 12,000 square feet of land is concluded to be 13.5% of the fee simple interest, or \$1,215.



RECONCILIATION AND FINAL ESTIMATE OF VALUE

The subject will experience the temporary loss of rights to 17,386 square feet in the form of a temporary (1-year) access easement. It will also lose certain surface and subsurface rights in perpetuity due to a 12,000 square foot permanent sewer easement. Damages to the land or any site improvements on that land while the easement holder is exercising its rights, or in any way related to the sewer improvements or the manner of installation, are the responsibility of the easement holder to cure so there are no costs to cure. No damages to Groton Country Club could reasonably be expected so there is no severance damage.

The value of the easements was based on a market-derived \$0.75 per square foot fee simple value and is subject to the extraordinary assumptions that the land to be encumbered by the proposed easements is in fact potentially developable house lots. The market data is reasonably strong to support this value as a highest value for the assignment condition. Two listings and three comparable sales were concisely presented and analyzed. This conclusion is well supported but subject to appraiser judgment.

Two sources of capitalization rates were cited in arriving at an 8.0% capitalization rate for our conclusion of the \$1,043 conclusion of ground rent for the 17,386 square foot temporary access easement.

Valuation of the permanent easement, \$1,215, was arrived at through a thoughtful analysis of what property rights contribute to market value of land in locations like Groton. Ultimately, the ability to build, landscape and quietly enjoy one's property was judged to account for 85% of value. The permanent easement is judged to take only 10% of those rights from the subject and result in an overall diminution in value of 13.5% of the fee simple value in the land. This analysis is highly subject to the opinions and judgments of the appraisers but we believe highly credible.

The value of the proposed easements are reconciled to be \$2,300 as shown below:

Severance to Groton Country Club:	\$0.00
Cost to Cure:	\$0.00
Value of Permanent Sewer Easement:	\$1,215.00
Value of Temporary Access Easement:	\$1,043.00
Total Rounded Value of Easements:	\$2,300.00



RECONCILIATION AND FINAL ESTIMATE OF VALUE

CONCLUSION: Therefore, based upon the information gathered and the analysis thereof, it is the appraiser's considered opinion that the market value of the fee simple interest in the subject property easements "as is", expressed in terms of financial arrangements equivalent to cash, as of April 3, 2021, the date of inspection, is:

TWO THOUSAND THREE HUNDRED DOLLARS

(\$2,300.00)

Extraordinary Assumptions and Hypothetical Conditions: Please refer to page 7 of this report on extraordinary assumptions related to highest and best use conclusions imposed by the intended users.

Joseph E. Flanagan, Candidate for Designation, Appraisal Institute
Senior Commercial Appraiser
Massachusetts Certified General Real Estate Appraiser #1936

As review/supervising appraiser, I certify that I have reviewed the content, analysis and conclusion expressed in this report and concur with the final value estimate.

Howard S. Dono, MRA, IFAS, ASA
Supervising / Review Appraiser
Massachusetts Certified General Real Estate Appraiser #1204

Appraisal of Groton Country Club Easements, Groton, MA

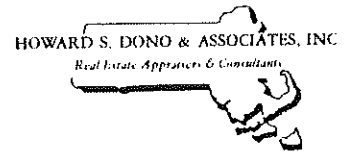


ADDENDA

ADDENDA

- Qualifications of the Appraisers
- Engagement Letter
- Easement Plan (prepared by Dillis & Roy Design Group)

Appraisal of Groton Country Club Easements, Groton, MA



ADDENDA

Qualifications of the Appraisers



HOWARD S. DONO & ASSOCIATES, INC.

Real Estate Appraisers & Consultants

217 West Boylston Street, West Boylston, MA 01583
Telephone: (508) 852-1588, Facsimile: (508) 852-1376

QUALIFICATIONS OF HOWARD S. DONO, MRA, IFAS, ASA

EDUCATION:

Massachusetts Certified General Real Estate Appraiser, #1204
Bentley College Bachelor of Science/Business Management 1981

Massachusetts Board of Real Estate Appraisers:

Real Estate Appraisal I, Three Approaches to Value, 1984
Real Estate Appraisal IA, Appraising the Single Family, 1985
Real Estate Appraisal II, Capitalization Techniques, 1988
Professional Practice and Conduct I, 1989
Professional Practice and Conduct II, 1991
Real Estate Appraisal IIA, Advanced Income Property, 1992

Appraisal Institute:

Appraisal Principles, I-110, 1993
Appraisal Procedures, I-120, 1993
Standards of Professional Practice - Part A, I-410, 1993
Standards of Professional Practice - Part B, I-420, 1993
Residential Case Study, I-210, 1994
Standards of Professional Practice - Part C, II-430, 1999

Seminars:

USPAP Update Seminar, 1999, 2004, 2005, 2006, 2008, 2010, 2012, 2014, 2016, 2018 & 2020
Demonstration Report, Residential Properties, 1985
Land Planning and Development, Strategies & Techniques 1988
Small Residential Income Properties Seminar, 1990
State Appraiser Certification Review Seminar, 1991
Demonstration Report, Commercial Property, 1991
Uniform Residential Appraisal Report Seminar, 1993
Appraisal Reporting of Complex Residential Properties, 1993
Valuation of Temporary and Permanent Easements, 1994
Tax Assessments and Tax Abatements, 1994, Site Contamination, 1994
Title V - Update of the New Sanitary Codes, 1995
Contamination 21E - Commercial & Residential Issues, 1995
HUD's Appraisal Regulations, 1995; Fair Lending Seminar, 1996
Understanding and Completing Forms 71A and 71B, 1996
Evaluations and Limited Restricted Reports, Commercial, 1996
Technology and the Appraiser: Making it work, 1997
Making the Most of Windows, 1997
Appraisal Communications, Writing Convincing Reports, 1997
Discounted Cash Flow Seminar, 1999, HUD Appraisal Seminar, 1999
Real Estate Law and the Registry of Deeds, 2001
Unique and Unusual Residential Properties, 2001
Land Development Seminar, 2001; Analyzing Operating Expenses, 2002
Residential Property Construction, 2002; Analyzing Distress Real Estate, 2005
Appraising from Blueprints, and Specifications, 2005
Scope of Work, Expanding Your Range of Services, 2005
Eminent Domain & Condemnation, 2005
Residential Design & Functional Utility, 2005
Overview of Real Estate Appraisal Principles, 2005
Subdivision Valuation: A Comprehensive Guide to Valuing Improved Subdivisions, 2006
Twelve Things Commercial Appraisers Should Know, 2008
Appraising in a Foreclosure Market, 2008
Reviewing the Reviewer: Role and Responsibilities of the Review, 2008
Small Hotel/Motel Valuation, 2008; Fannie Mae Form 1004 MC, 2009
New England Appraisers Expo, Residential Program, 2009
Appraising Easements, 2011; Distress Properties Valuation, 2011
Income Approach: An Overview, 2011; Supervising Appraisal Trainees, 2011
Residential Market Analysis, Highest and Best Use, 2013
Residential Sales Comparison and Income Approach, 2013
Financial Institutions Guide to Commercial Appraisal, 2013
Covering All Bases in Residential Reporting, 2013
Appraisal of 2 - 4 Family and Multi - Family Appraisals, 2013
Restaurant Valuation Issues, 2013
Religious Properties Valuation Issues, 2014
Supervising Beginning Appraisers; Plan for Success 2015
Mixed Use Property Valuation, 2016
Investment Analysis and Investment Properties, 2016
Non-stabilized Distressed Properties Valuation Issues, 2017
Quantitative Analysis Concepts for Appraisers, 2018
Eminent Domain and Condemnation Appraisal Practice in Massachusetts - 2018



ORGANIZATIONS:

Massachusetts Certified General Real Estate Appraiser, #1204
Massachusetts Board of Real Estate Appraisers, MRA, Designated Member
National Association of Independent Fee Appraisers, IFAS, Designated Member
American Society of Appraisers, ASA, Real Property, All Property Types, Designated Member
Certified by the MBREA, NAIFA and the ASA continuing education program.
Qualified to appraise all types of real estate by the MBREA, NAIFA and ASA.
Massachusetts Continuing Legal Education (MCLE)
Faculty Member, Published, Lecturer. Trying Divorce Cases
Massachusetts Board of Real Estate Appraisers (MBREA)
Co-sponsor USPAP Update Seminar, 2006, 2008, 2010, 2012, 2014, 2016, 2018 & 2020
Co-sponsor Distress Properties Seminar, 2017
Standards and Qualifications Committee
Education Committee
Member and officer, Board of Trustees
Department of Veterans Affairs, Fee Panel Appraiser
Housing and Urban Development, Fee Panel Appraiser
MassDOT, Community Compliance Division, Review Appraiser
Employee Relocation Council, Member
Greater Worcester Board of Realtors, Member
Greater Worcester Board of Realtors, Banking Committee
Greater Worcester Board of Realtors, Appraisal Committee
Greater Boston Real Estate Board, Member
Northern Worcester County Board of Realtors, Member
Massachusetts Registered Real Estate Salesman

EXPERIENCE:

HOWARD S. DONO & ASSOCIATES, INC.
President/CEO and Real Estate Appraiser. 1984 -- Present.
Duties as chief executive and operations officer include:

- Management and direction of the region's largest staffs of licensed/certified real estate appraisers and clerical personnel offering a full range of real estate appraisal services.
- Preparation and review of real estate appraisals for bank financing, asset evaluation, development analysis, real estate tax appeals, estate and probate matters and eminent domain land takings.
- Provide expert witness testimony for litigation purposes.

Howard S. Dono, MRA, IFAS has thorough knowledge of the three accepted approaches to value; Direct Sales Comparison Approach, Cost Approach and Income Capitalization Approach (Discounted Cash Flow Analysis and Direct Income Capitalization).

Appraisal experience includes:

- All types of residential property; single family homes, condominiums, undeveloped land, small income multi-family properties, apartment buildings, co-operative units, planned unit developments, employee relocation appraisals.
- Commercial and industrial property; warehouse, manufacturing facilities, office and retail properties, residential subdivision, industrial subdivision, and special use properties.
- Feasibility studies, lease analyses and quality control review appraisals for both residential and commercial review appraisals.
- Mass DOT, Community Compliance Division of the Right of Way Bureau, reviewed innumerable appraisals for eminent domain purposes throughout the Commonwealth.
- Qualified as an expert witness for testimony in Massachusetts Superior Court, Land Court, Probate Court, Appellate Tax Board, and Federal Bankruptcy Court.



COMMONWEALTH OF MASSACHUSETTS, APPELLATE TAX BOARD

Assistant Clerk and System Administrator of the Board, 1985 – 1990.

Duties as Assistant Clerk and System Administrator included:

The ATB is the Commonwealth's judicial board that serves as its tax court having jurisdiction over all State and local tax appeals, including real estate property tax appeals. Reviewed all petitions and filing fees. Prepared trial lists of cases to be heard and notified the interested parties. Administered oaths, received and maintained records, exhibits and transcripts. Advised the public of their rights and the procedures of the appeals before the Board. Acted as a liaison between the Board and the public. Managed all data processing functions. Managed the Commonwealth's Payroll, Management and Information System. Established and implemented system controls, system operations, system security and system maintenance. Monitored and improved system performance. Designed and implemented the system hardware and software for the Board's case tracking system. Managed system operators.

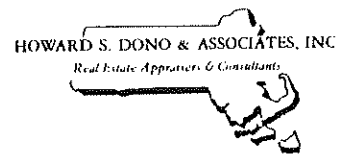
Appraiser License

COMMONWEALTH OF MASSACHUSETTS
DIVISION OF PROFESSIONAL LICENSURE
BOARD OF
REAL ESTATE APPRAISERS
ISSUES THE FOLLOWING LICENSE CERT
GEN. REAL ESTATE APPRAISER

HOWARD S DONO
217 W BOYLSTON ST
WEST BOYLSTON, MA 01583-1730

1204 **08/07/2021** **671060**
LICENSE NUMBER **EXPIRATION DATE** **SERIAL NUMBER**

[Handwritten Signature]
LICENSEE SIGNATURE



HOWARD S. DONO & ASSOCIATES, INC.
Real Estate Appraisers & Consultants
217 West Boylston Street, W. Boylston, Ma 01583
Office (508) 852-1588, Fax (508) 852-1376

QUALIFICATIONS OF JOSEPH E. FLANAGAN (Candidate for Designation, Appraisal Institute)

UNIVERSITY EDUCATION

Boston College, Boston, Massachusetts - Graduated 1986, BA (English)
Real Estate Law, Boston College
Macroeconomics, Boston College

APPRAISAL INSTITUTE EDUCATION (BASIC)

Appraisal Institute Course 101, Introduction to Appraising Real Property (1991)
Appraisal Institute Course 102, Residential Property Appraising (1991)
Appraisal Institute Course 201, Principles of Income Property Appraising (1991)
Appraisal Institute Course SSP, USPAP (1996)
Appraisal Institute Course 330, Apartment Appraisal, Concepts and Applications (2005)
Appraisal Institute Course 540, Report Writing and Valuation Analysis (2007)
Appraisal Institute Course 520, General Appraiser Market Analysis and Highest & Best Use (2009)
Appraisal Institute, Business Practices and Ethics (2013)

APPRAISAL INSTITUTE EDUCATION (ADVANCED REQUIREMENTS FOR MAI DESIGNATION)

Advanced Income Capitalization (2014)
Advanced Concepts and Case Studies (2014)
Quantitative Analysis (2016)
Advanced Market Analysis and Highest & Best Use (2017)
Seminar, General Demonstration Report Writing (2018)
Capstone, General Demonstration Report (2019)

MISCELLANEOUS EDUCATION (Appraisal Institute, Massachusetts Board of Real Estate Appraisers, etc.)

Seminar: Interpreting Engineering Plans, International Right of Way Association
Seminar: Feasibility Analysis & Highest and Best Use Analysis
Seminar: Appraising Income Properties
Seminar: Rates, Ratios and Reasonableness
Seminar: Appraising the High End Property
Seminar: Appraisal Research, Technology and the Internet
Seminar: Land Development (2001)
Seminar: HUD Appraising (2001)
Seminar: Commercial Appraisal Review Techniques (2002)
Seminar: Unique and Unusual Residential Properties (2002)
Seminar: Appraiser as Expert Witness (2003)
Seminar: Analyzing Distressed Real Estate (2004)
Seminar: Analyzing Operating Expenses (2004)
Seminar: Feasibility, Market Value, Investment Timing: Option Value (2004)
Seminar: Appraising from Blueprints and Specifications (2004)
Seminar: American Banker's Association - Land, Condos and Subdivisions, Solutions (2010)
Seminar: An Introduction to Valuing Commercial Green Buildings (2011)
Seminar: Business Practices and Ethics, Appraisal Institute (2013)
Seminar: USPAP Update (per requirements, thru version 2020-2022)
Seminar: Eminent Domain and Condemnation Appraisal Practice in Massachusetts (2018)
Seminar: Zoning and Land Use Explained (2019)



ORGANIZATIONS

Massachusetts Certified General Real Estate Appraiser, #1936
Appraisal Institute, Candidate for Designation
Massachusetts Board of Real Estate Appraisers, State Certified Member
Board of Selectmen, Town of Westminister, MA (2010 – 2013)
Advisory Board (Finance Committee), Town of Westminister, MA (2013 – 2017)
Planning Board, Town of Westminister (2014-2016)

EXPERIENCE

Howard S. Dono & Associates, Inc., Senior Commercial Appraiser; 4/99 – Present. Mr. Flanagan is principal of Flanagan Appraisal Services (1992 – Present), specializing in appraisal and review appraisal for eminent domain. Mr. Flanagan was previously a staff appraiser for Henry W. Cooke Co., (1992 - 1994) in Providence, RI and began his appraisal career as a staff appraiser for MassHighway (now MassDOT), Right of Way Bureau (1987 – 1992).

Duties as Senior Commercial Appraiser include appraising all types of residential property; single family homes, condominiums, undeveloped land and small income multi-family property. Also appraising all types of commercial / industrial property; mixed use, professional office, restaurant, shopping center, funeral home, manufacturing, warehouse, mill, subdivision, golf course, gas station, theatre. Responsible for development of regional, community and economic analyses for use in all staff appraisal reports.

Mr. Flanagan is currently on the final step required for receipt of the Appraisal Institute’s MAI designation.

COURT TESTIMONY

Qualified and testified as an expert witness in U.S. Bankruptcy Court, Plymouth and Berkshire Superior Courts, Worcester Probate Court, and the Appellate Tax Board.


Appraiser License

COMMONWEALTH OF MASSACHUSETTS
DIVISION OF PROFESSIONAL LICENSURE
BOARD OF
REAL ESTATE APPRAISERS
ISSUES THE FOLLOWING LICENSE CERT
GEN. REAL ESTATE APPRAISER

JOSEPH E FLANAGAN
8 BEECH HILL RD
WESTMINSTER, MA 01473-1036

1936 **02/16/2022** **792439**

LICENSE NUMBER **EXPIRATION DATE** **SERIAL NUMBER**



Appraisal of Groton Country Club Easements, Groton, MA

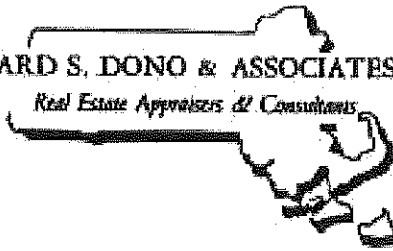


ADDENDA

Engagement Letter

HOWARD S. DONO & ASSOCIATES, INC.

Real Estate Appraisers & Consultants



Howard S. Dono, MRA, IFAS, ASA
President/CEO
Joseph R. Evangelista, RA
Senior Partner
Joseph R. Curley, Jr., MHA, MRA, ASA
Vice President

217 West Boylston Street
West Boylston, MA 01583
Telephone (508) 853-1588
Facsimile (508) 853-1376
Email: jhd@howardsdono.com
Website: howardsdono.com

March 29, 2021

Kevin and Chris Lindemer
227 Boston Road
Groton, MA 01450

VIA ELECTRONIC MAIL

Re: 227 Boston Road (Easement)
Groton, MA

Dear Mr. Lindemer:

Thank you for your interest in Howard S. Dono & Associates, Inc. This letter will act as an engagement letter for Howard S. Dono & Associates, Inc. to perform appraisal on the above referenced property and prepare the appraisal report. The report will descriptively narrate the method of the valuation process. The function of the appraisal is to estimate the market value of the fee simple estate of the subject property, subject to any leases that may be in effect in their "AS IS" condition.

The RESTRICTED appraisal will be prepared in accordance with the Uniform Standards of Professional Appraisal Practice promulgated by the Appraisal Standards Board and will conform with the code of ethics of the Massachusetts Board of Real Estate Appraisers and the American Society of Appraisers. The reports will be subject to our firm's standard Limiting Conditions, together with any special limiting conditions that may arise during the preparation of the appraisal reports. Should you require a copy of these Limiting Conditions prior to engaging our firm, please call. We will inform you should any special limitations occur.

FILE

The RESTRICTED appraisal will be presented in a narrative format. The scope of the analysis should include all appropriate methods of valuation. However, the scope of work can only be determined after a physical inspection of the properties. The reports should be completed within 30 days of the acceptance of this agreement. We can only complete the analysis by this date if all relevant information needed and access to the properties is provided in a timely manner. We reserve the right to renegotiate this fee if the properties are significantly different than described after the initial inspection. This proposal is valid for 30 days.

and no later than April 22, 9.7-

We will forward to you, our client an electronic PDF file to the email address that you specify below. The fee for the professional services stated herein will be \$2,450.00. Full payment is due at the time of engagement. Additional services, such as litigation support, court testimony, and/or consultation will be billed at the firm's hourly rate.

Please return one signed copy of this engagement letter and we will proceed with the preparation of this appraisal report.

Thank you for your anticipated cooperation.

Howard S. Dono, MRA, IFAS, ASA
HOWARD S. DONO & ASSOCIATES, INC.
Real Estate Appraisers & Consultants

Accepted by:

Date: 4/3/2021

Access Contact:

Kevin S. Lindemer

Christine Lindemer

Telephone: 339 368 3517 / 978 808 9130

Clients email address (to deliver report):

kilindemer@verizon.net / clindemer@verizon.net

Appraisal of Groton Country Club Easements, Groton, MA

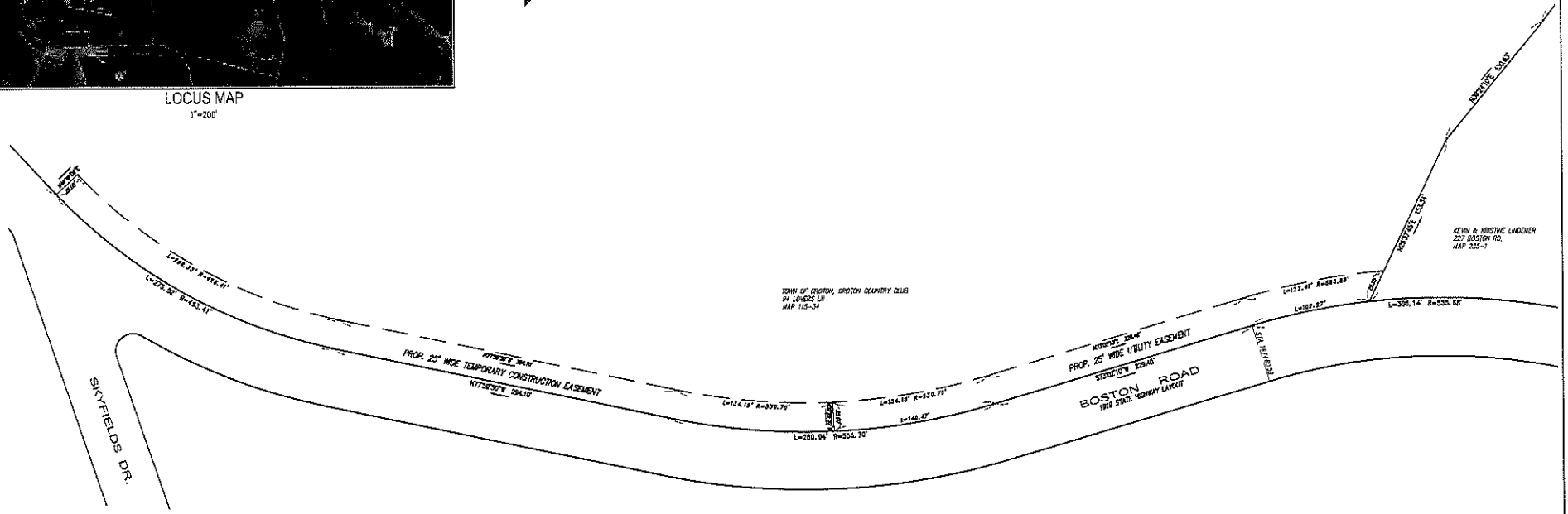


ADDENDA

Easement Plan (prepared by Dillis & Roy Design Group)



LOCUS MAP
1"=200'



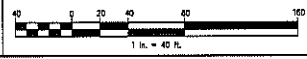
RECORD NUMBER:
GROTON COUNTRY CLUB
97 LONGS LANE
GROTON, MASSACHUSETTS
ELAN BETENDES
PL1362 OF 1389
PL1100 OF 2219
ZONING: RESIDENCE, RESIDENTIAL-AGRICULTURAL

I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIP, AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND THAT NO NEW LINES FOR DIVISION OF OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.



PROFESSIONAL LAND SURVEYOR DATE



RESERVED FOR REGISTRY USE

EASEMENT PLAN GROTON, MASSACHUSETTS			
DATE: FEBRUARY 3, 2023	SCALE: 1 in. = 40 ft.		
OWNER: GROTON COUNTRY CLUB 97 LONGS LANE GROTON, MASSACHUSETTS	JOB NO. 8103	DWC. NO. 0103-E	
DILLIS & ROY CIVIL DESIGN GROUP			
CIVIL ENGINEERS	LAND SURVEYORS	WETLAND CONSULTANTS	
1 MAIN STREET, SUITE 1 LUNENBURG, MA 01462		PHONE: (878) 778-9091 www.dillisroy.com	



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*
Rebecca H. Pine, *Clerk*
John R. Giger, *Member*
John F. Reilly, *Member*

Town Manager
Mark W. Haddad

MEMORANDUM

TO: Mark Haddad, Town Manager
FROM: Dawn Dunbar, Executive Assistant
DATE: April 23, 2021
RE: 2021 License Renewals – Fuel Storage

The following licenses require Select Board approval for renewal:

- 1. Deluxe Corporation**
License to expire on April 30, 2022
Located at 500 Main Street
Fuel Storage license originally granted on 12/15/2003
- 2. Groton School**
License to expire on April 30, 2022
Located on Farmers Row
Fuel Storage license originally granted on 12/15/2003
- 3. Global Montello Group Corp.**
License to expire on April 30, 2022
Located at 6 Boston Road
Fuel Storage license originally granted on 3/25/2002
- 4. Groton-Dunstable Regional School District**
License to expire on April 30, 2022
Located at 342 Main Street
Fuel Storage license originally granted on 12/15/2003
- 5. Energy North (Haffners)**
License to expire on April 30, 2022
Located at 318 Main Street
Fuel Storage license originally granted on 11/01/2004
- 6. NESSP**
License to expire on April 30, 2022
Located at 1003 Boston Road
Fuel Storage license originally granted on 12/12/2016

7. A.L. Prime Energy, Inc.

License to expire on April 30, 2022

Located at 619 Boston Road

Fuel Storage license originally granted on 7/13/2009

**SPRING TOWN MEETING
MOTIONS
MAY 1, 2021**

CONSENT MOTION #1 – Articles 1 through 4

Mover: John Reilly

MOTION: I move that the Town vote to combine for consideration Articles 1, 2, 3 and 4 of the Warrant for this Town Meeting and that the Town take affirmative action on said articles as set forth in the motions in the Town Meeting Information Handout, without debate and in accordance with the action proposed under each motion, provided, however, that if any voter, prior to the taking of the vote, requests the right to debate a specific article, then said article shall be removed from this motion and acted upon in the ordinary course of business.

Quantum of Town Meeting Vote: Majority

ARTICLE 1: HEAR REPORTS

MOTION: I move that the Town's 2020 Annual Report be accepted and placed in the permanent records of the Town.

Quantum of Town Meeting Vote: Majority

ARTICLE 2: ELECTED OFFICIALS' COMPENSATION

MOTION: I move that the following compensation be set for the following elected officials for the ensuing year:

Town Clerk	\$90,853
Town Moderator	\$ 65

Quantum of Town Meeting Vote: Majority

ARTICLE 3: WAGE AND CLASSIFICATION SCHEDULE

MOTION: I move that the Town of Groton Wage and Classification Schedule be amended and adopted for Fiscal Year 2022 as printed in Appendix B of the Warrant for the 2021 Spring Town Meeting.

Quantum of Town Meeting Vote: Majority

ARTICLE 4: APPROPRIATE FUNDING FOR OPEB TRUST

MOTION: I move that the sum of One Hundred Seventy-Seven Thousand and Ninety-Four Dollars (\$177,094), be transferred from the Excess and Deficiency Fund (Free Cash) to be expended by the Town Manager, to be added to the Other Post-Employment Benefits Liability Trust Fund as authorized by Massachusetts General Laws, Chapter 32B, Section 20.

ARTICLE 5: FISCAL YEAR 2022 ANNUAL OPERATING BUDGET

CONSENT MOTION #2 – Operating Budget

Mover: Bud Robertson

I move that the town take affirmative action on Motion 1 through Motion 14, under Article 5, as set forth in the Town Meeting Information Handout for this Meeting, without debate and in accordance with the action proposed under each motion, provided however that if any voter requests the right to debate a specific budget motion, then said motion shall be debated and voted upon separately.

Quantum of Town Meeting Vote: Majority

MOTION 1: GENERAL GOVERNMENT

MOTION: I move that Two Million One Hundred Fifty Three Thousand Four Hundred Ten Dollars (\$2,153,410) be hereby appropriated for General Government as represented by lines 1000 through 1182 in Appendix A of the Warrant; each line item to be considered as a separate appropriation for the purposes voted; and to meet this appropriation, the sum of \$14,035 be transferred from the Excess and Deficiency Fund (Free Cash) and the sum of \$2,139,375 be raised from the Fiscal Year 2022 Tax Levy and other general revenues of the Town.

Quantum of Town Meeting Vote: Majority

MOTION 2: LAND USE DEPARTMENTS

MOTION: I move that Four Hundred Fifty-Two Thousand Eight Hundred Fifty-Six Dollars (\$452,856) be hereby appropriated for Land Use Departments as represented by lines 1200 through 1281 in Appendix A of the Warrant; each line item to be considered as a separate appropriation for the purposes voted; and to meet this appropriation, the sum of \$5,167 be transferred from the Excess and Deficiency Fund (Free Cash) and the sum of \$447,689 be raised from the Fiscal Year 2022 Tax Levy and other general revenues of the Town.

Quantum of Town Meeting Vote: Majority

MOTION 3: PROTECTION OF PERSONS & PROPERTY

MOTION: I move that Four Million Three Hundred Sixty Two Thousand Two Hundred Sixty-Eight Dollars (\$4,362,268) be appropriated for Protection of Persons and Property as represented by lines 1300 through 1372 in Appendix A of the Warrant; each line item to be considered as a separate appropriation for the purposes voted; and to meet this appropriation, the sum of \$46,860 be transferred from the Excess and Deficiency Fund (Free Cash); the sum of \$300,000 be appropriated from Fire & Emergency Medical Services Receipts Reserved; and the sum of \$4,015,408 be raised from the Fiscal Year 2022 Tax Levy and other general revenues of the Town.

Quantum of Town Meeting Vote: Majority

MOTION 4: SCHOOLS

a.) Nashoba Valley Regional Technical High School

MOTION: I move that the sum of Eight Hundred Seven Thousand Four Hundred Seventy-Four Dollars (\$807,474) be raised and appropriated from the Fiscal Year 2022 Tax Levy and other general revenues of the Town for the Nashoba Valley Regional Technical High School as represented by line 1400 in Appendix A of the Warrant.

Quantum of Town Meeting Vote: Majority

b.) Groton Dunstable Regional School District

MOTION A: I move that the sum of Twenty-Four Million, Twenty-Three Thousand, One Hundred Thirty-Four Dollars (\$24,023,134) be hereby raised and appropriated from the Fiscal Year 2022 Tax Levy and other general revenues of the Town for the Groton Dunstable Regional School District as represented by lines 1410 through 1413 as shown in Appendix A of the Warrant.

Quantum of Town Meeting Vote: Majority

MOTION B: I move that the sum of Two Hundred Seventeen Thousand Two Hundred Ninety-Eight (\$217,298) be hereby transferred from the Groton Dunstable Regional School District Capital Stabilization Fund to the Groton Dunstable Regional School District to pay for the capital assessment from said School District as represented by line 1414 in Appendix A of the Warrant.

Quantum of Town Meeting Vote: 2/3's Majority

MOTION 5: DEPARTMENT OF PUBLIC WORKS

MOTION: I move that Two Million Two Hundred Two Thousand Three Hundred Fifty-Nine Dollars (\$2,202,359) be hereby appropriated for the Department of Public Works as represented by lines 1500 through 1561 as shown in Appendix A of the Warrant; each line item to be considered as a separate appropriation for the purposes voted; and to meet this appropriation, \$16,645 be transferred from the Excess and Deficiency Fund (Free Cash) and \$2,185,714 be raised from the Fiscal Year 2022 Tax Levy and other general revenues of the Town.

Quantum of Town Meeting Vote: Majority

MOTION 6: LIBRARY AND CITIZEN'S SERVICES

MOTION: I move that the sum of One Million Six Hundred Sixty Thousand Five Hundred Sixty Dollars (\$1,660,560) be hereby appropriated for Library and Citizen's Services as represented by lines 1600 through 1703 as shown in Appendix A of the Warrant; each line item to be considered as a separate appropriation for the purposes voted; and to meet this appropriation, the sum of \$15,904 be transferred from the Excess and Deficiency Fund (Free Cash) and \$1,644,656 be raised from the Fiscal Year 2022 Tax Levy and other general revenues of the Town.

Quantum of Town Meeting Vote: Majority

MOTION 7: DEBT SERVICE

MOTION: I move that One Million Eight Hundred Eighty Thousand Eight Hundred Eighty-Seven Dollars (\$1,880,887) be hereby appropriated for Debt Service as represented by lines 2000 through 2007 in Appendix A of the Warrant; each line item to be considered as a separate appropriation for the purposes voted; and to meet this appropriation the sum of \$91,974 be transferred from the Excess and Deficiency Fund (Free Cash) and the sum of \$1,788,913 be raised from the Fiscal Year 2022 Tax Levy and other general revenues of the Town.

Quantum of Town Meeting Vote: Majority

MOTION 8: EMPLOYEE BENEFITS

MOTION: I move that the sum of Four Million Three Hundred Thirty-Nine Thousand Four Hundred Ninety-Nine Dollars (\$4,339,499) be raised and appropriated from the Fiscal Year 2022 Tax Levy and other general revenues of the Town for Employee Benefits as represented by lines 3000, 3002, 3010, 3011 and 3012 in Appendix A of the Warrant; each line item to be considered as a separate appropriation for the purposes voted.

Quantum of Town Meeting Vote: Majority

MOTION 9: WATER ENTERPRISE

MOTION: I move that One Million Four Hundred Four Thousand Five Hundred Sixty-Four Dollars (\$1,404,564) be appropriated to be spent by the Groton Water Commission to defray all operating expenses, interest charges, and principal payments on bonds outstanding as they accrue and any reimbursement to the Town of the Groton Water Enterprise Fund as represented in the Water Enterprise Budget in Appendix A of the Warrant; each line item to be considered as a separate appropriation for the purposes voted.; and to meet this appropriation, the sum of \$1,183,579 be appropriated from Water Rates and Fees; the sum of \$50,000 be hereby transferred from Water Enterprise Excess and Deficiency; and the sum of \$170,985 in the Town's General Fund Operating Budget be raised and appropriated to be allocated to the Water Enterprise for FY 2022.

Quantum of Town Meeting Vote: Majority

MOTION 10: SEWER ENTERPRISE

MOTION: I move that Seven Hundred Ninety-Eight Thousand Seven Hundred Forty-Seven Dollars (\$798,747) be appropriated to be spent by the Groton Sewer Commission to defray all operating expenses, interest charges, and principal payments on bonds outstanding as they accrue and any reimbursement to the Town for the Groton Sewer Enterprise Fund as represented in Appendix A of the Warrant; each line item to be considered as a separate appropriation for the purposes voted; and to meet this appropriation, the sum of \$728,061 be appropriated from Sewer Rates and Fees; the sum of \$35,837 be hereby transferred from Sewer Enterprise Excess and Deficiency; and the sum of \$34,849 be raised and appropriated in the General Fund Operating Budget to be allocated to the Sewer Enterprise for Fiscal Year 2022.

Quantum of Town Meeting Vote: Majority

MOTION 11: LOCAL ACCESS CABLE ENTERPRISE

MOTION: I move that Two Hundred Fifteen Thousand Nine Hundred Five Dollars (\$215,905) be hereby appropriated to be spent by the Cable Access Commission to defray all operating expenses and any reimbursements to the Town of the Local Access Cable Enterprise Fund as shown in Appendix A of the Warrant report; each line item to be considered as a separate appropriation for the purposes voted and to meet this appropriation, the sum of \$116,670 be appropriated from Local Access Cable Fees; the sum of \$33,921 be hereby transferred from Local Cable Access Excess and Deficiency; and the sum of \$65,314 be raised and appropriated in the General Fund Operating Budget to be allocated to the Local Access Cable Enterprise for Fiscal Year 2022.

Quantum of Town Meeting Vote: Majority

MOTION 12: FOUR CORNERS SEWER ENTERPRISE

MOTION: I move that Sixty-Eight Thousand Seven Hundred Sixty-Nine Dollars (\$68,769) be appropriated for a Fiscal Year 2022 Budget for the Four Corners Sewer Enterprise as shown in Appendix A of the Warrant report; each line item to be considered as a separate appropriation for the purposes voted; and to meet this appropriation, the sum of \$42,450 be appropriated from Four Corners Sewer Rates and Fees; and the sum of \$26,319 be hereby transferred from Four Corners Sewer Enterprise Excess and Deficiency.

Quantum of Town Meeting Vote: Majority

MOTION 13: STORMWATER UTILITY ENTERPRISE

MOTION: I move that Two Hundred Nine Thousand Seven Hundred Fifty-Three Dollars (\$209,753) be appropriated for a Fiscal Year 2022 Budget for the Stormwater Utility Enterprise as shown in Appendix A of the Warrant report; each line item to be considered as a separate appropriation for the purposes voted; and to meet this appropriation, the sum of \$209,753 be hereby transferred from Stormwater Utility Rates and Fees.

MOTION 14: ELECTRIC LIGHT

MOTION: I move that the income from sales of electricity to private customers or for electricity supplied to municipal buildings, together with receipts from jobbing accounts, be appropriated for the Groton Electric Light Department, the whole to be expended by the Manager of the Groton Electric Light Department under the direction and control of the Groton Board of Electric Light Commissioners, for expenses of the Department for Fiscal Year 2022, as defined in Section 57 of Chapter 164 of the Mass. General Laws, and that, if said sum and said income shall exceed said expense for said year, such excess shall be transferred to the construction fund of said plant and appropriated and used for such additions thereto as may thereafter be authorized by the Board of Electric Light Commissioners.

Quantum of Town Meeting Vote: Majority

ARTICLE 6: FISCAL YEAR 2022 CAPITAL BUDGET

Mover: Joshua Degen

MOTION A: I move that the Town vote to appropriate the sum of One Hundred Eighty Five Thousand Dollars (\$185,000), be appropriated to be expended by the Town Manager, to purchase and equip a new Dump Truck for the Highway Department, and for the payment of all costs associated and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, be authorized to borrow the sum of \$185,000 under and pursuant to Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore; and, further, that the Town Manager be authorized to contract for the accomplishment of the foregoing purpose, including the expenditure of all appropriated funds and any funds received from any source for such purchase, and, further, that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Quantum of Town Meeting Vote: 2/3's Majority

MOTION B: I move that Six Hundred Twenty-Five Thousand Dollars (\$625,000) be hereby appropriated, to be expended by the Town Manager, for the capital items shown below; and to meet this appropriation, the sum of \$100,000 be transferred from the Excess and Deficiency Fund (Free Cash); the sum of \$50,000 be raised from the Fiscal Year 2022 Tax Levy and other general revenues of the Town; and, the sum of \$425,000 be transferred from the Capital Stabilization Fund.

<u>Item</u>	<u>Amount</u>	<u>Department</u>
Engine 1 Refurbishment	\$225,000	Fire/EMS
Dump Truck	\$ 60,000	Highway
IT Infrastructure	\$ 40,000	Town Facilities
Municipal Building Repairs	\$ 25,000	Town Facilities
Tractor Trailer Unit	\$ 20,000	Transfer Station
Reconstruct Library Parking Lot	\$ 45,000	Library
Property Improvements	\$ 25,000	Park Department
Golf Carts	\$ 25,000	Country Club
Cart Path/Tee Box Repairs	\$ 10,000	Country Club
Country Club Roof	\$ 50,000	Town Facilities
Police Cruisers	\$100,000	Police Department
Total	\$625,000	

Quantum of Town Meeting Vote: 2/3's Majority

ARTICLE 7: CPA RECOMMENDATION – MIDDLE SCHOOL TRACK Mover: Bud Robertson

MOTION: I move to adopt and approve the recommendation of the Community Preservation Committee established pursuant to Chapter 44B, Section 5 of the General Laws, and to appropriate One Million Four Hundred and Five Thousand, Three Hundred and Seventy Four Dollars (\$1,405,374) to construct a new Middle School Track, and for the payment of all costs associated and related thereto, and to implement such recommendation, the Treasurer, with the approval of the Select Board, be authorized to borrow the sum of \$1,405,374, to be expended by the Town Manager, under and pursuant to Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore; and, further, that the Town Manager be authorized to contract for the accomplishment of the foregoing purpose, including the expenditure of all appropriated funds and any funds received from any source for such purchase, and, further, that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Quantum of Town Meeting Vote: 2/3's Majority

ARTICLE 8: FLORENCE ROCHE CONSTRUCTION Mover: Bud Robertson

MOTION: I move that the Town appropriates the amount of Seventy-Six Million Four Hundred Ninety-Five Thousand Three Hundred Sixty dollars (\$76,495,360) be appropriated dollars for the purpose of paying costs of the design and construction of a new kindergarten through fourth grade elementary school with an approximate square footage of 109,855 square feet located at 342 Main Street in Groton, Massachusetts, inclusive of abatement and demolition of the existing school structures on said property, new parking lots, relocation and construction of the existing track, various other site improvements, and all other costs incidental and related thereto (the "Project"), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50 years, and for which the Town may be eligible for a grant from the Massachusetts School

Building Authority ("MSBA"), said amount to be expended under the direction of the Florence Roche Elementary School Building Committee. To meet this appropriation the Treasurer, with the approval of the Select Board, is authorized to borrow said amount under G.L. c. 44, or pursuant to any other enabling authority. The Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town; provided further that any grant that Town may receive from the MSBA for the Project shall not exceed the lesser of (1) fifty-three and thirty-nine hundredths percent (53.39%) of eligible, approved Project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; provided that any appropriation hereunder shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by G.L. c. 59, §21C (Proposition 2½); and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town and the MSBA. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Quantum of Town Meeting Vote: 2/3's Majority

ARTICLE 9: ENGINEERING FUNDS – WHITNEY POND FACILITY Mover: Greg Fishbone

MOTION: I move that Seven Hundred Twenty-Two Thousand Three Hundred Dollars (\$722,300) be appropriated, to be expended under the direction of the Board of Water Commissioners, to pay costs of engineering design services and owners project manager services related to improving the Whitney Pond Water Treatment Facility, commencing in Fiscal Year 2021, including the payment of all costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the Select Board, be authorized to borrow the sum of \$722,300, under and pursuant to Chapter 44, Section 8(4) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and, further, that the Town Manager be authorized to contract for the accomplishment of the foregoing purpose, including the expenditure of all appropriated funds and any funds received from any source for such purchase, and, further, that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Quantum of Town Meeting Vote: 2/3's Majority

ARTICLE 10: ENGINEERING FUNDS – WHITNEY POND WELL #3 **Mover: Greg Fishbone**

MOTION: I move that Three Hundred Thousand Dollars (\$300,000) be appropriated, to be expended under the direction of the Board of Water Commissioners, to pay costs of engineering design services and owners project manager services related to developing the new Whitney Pond Well #3, including the payment of all costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the Select Board, be authorized to borrow the sum of \$300,000, under and pursuant to Chapter 44, Section 8(3A) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and, further, that the Town Manager be authorized to contract for the accomplishment of the foregoing purpose, including the expenditure of all appropriated funds and any funds received from any source for such purchase, and, further, that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Quantum of Town Meeting Vote: 2/3's Majority

ARTICLE 11: EXTEND GROTON CENTER SEWER DISTRICT **Mover: Jim Gmeiner**

MOTION: I move that the "Groton Center Sewer District" as established by the vote of the Special Town Meeting of February 6, 1989, under Article 7, and as shown most recently on the plan approved under Article 14 of the Annual Town Meeting of April 25, 2005, be extended to include the property shown on Assessors' Map 109, Lot 43-0 (108 Pleasant Street) but only for the exclusive use of 108 Pleasant Street unless otherwise provided by applicable law, and its successors or assigns, and provided that all costs of designing, laying, and construction of the extension and any associated connection and the cost of additional capacity and the property owner's proportionate share of the general benefit facilities, and all other costs associated therewith, are paid by the owner of the property benefited thereby, by the assessment of betterments or otherwise.

Quantum of Town Meeting Vote: Majority

ARTICLE 12: SEWER CONNECTION – 227 BOSTON ROAD **Mover: Rebecca Pine**

MOTION: I move that the Select Board be authorized to grant an easement to Christine R. and Kevin J. Lindemer, and their successors and assigns, for the purpose of placing and maintaining a subsurface sewage disposal line to service 227 Boston Road below existing grade surface and under the surface of Town owned property under the control of the Select Board located at 94 Lovers Lane, shown on Assessors Map 115, Parcel 34, Recorded Deed Book 20265, Page 302 at the South Middlesex Registry of Deeds, as shown on the plan posted on the Town's website, on terms and conditions deemed by the Select Board to be in the best interest of the Town.

Quantum of Town Meeting Vote: 2/3's Majority

ARTICLE 13: COMMUNITY PRESERVATION FUNDING ACCOUNTS Mover: Bruce Easom

MOTION: I move that the following sums be appropriated from the Community Preservation Fund and allocated to the following sub accounts:

CPC Operating Expenses:	\$ 20,500
Open Space Reserve:	\$ 78,490
Historic Resource Reserve:	\$ 78,490
Community Housing Reserve:	\$ 78,490
Unallocated Reserve:	\$528,930

Quantum of Town Meeting Vote: Majority

ARTICLE 14: CPA FUNDING RECOMMENDATIONS Mover: Bruce Easom

CONSENT MOTION #3 - CPA Funding Recommendations

I move that the Town take affirmative action on Motion 1 through Motion 7, under Article 14, as recommended by the Community Preservation Committee, and as set forth in the Town Meeting Information Handout for this Meeting, without debate and in accordance with the action proposed under each motion, provided however that if any voter requests the right to debate a specific motion, then said motion shall be debated and voted upon separately.

Quantum of Town Meeting Vote: 2/3's Majority

MOTION 1: Maintenance and Mausoleum Restoration

I move, pursuant to Massachusetts General Laws, Chapter 44B, Section 5, that the sum of Sixty-Five Thousand Dollars (\$65,000) be appropriated from the Community Preservation Historic Reserve to fund Community Preservation Application 2022-01 "Maintenance and Mausoleum Restoration".

Quantum of Town Meeting Vote: Majority

MOTION 2: Field and Recreation Feasibility Study

I move, pursuant to Massachusetts General Laws, Chapter 44B, Section 5, that the sum of Twenty Thousand Dollars (\$20,000) be appropriated from the Community Preservation Unallocated Reserve to fund Community Preservation Application 2022-02 "Field and Recreation Feasibility Study".

Quantum of Town Meeting Vote: Majority

MOTION 3: Non-Point Sources of Pollution

I move, pursuant to Massachusetts General Laws, Chapter 44B, Section 5, that the sum of Forty Thousand Dollars (\$40,000) be appropriated from the Community Preservation Unallocated Reserve to fund Community Preservation Application 2022-03 "Non-Point Sources of Pollution".

Quantum of Town Meeting Vote: Majority

MOTION 4: Site Assessment Study

I move, pursuant to Massachusetts General Laws, Chapter 44B, Section 5, that the sum of Seventy-Five Thousand Dollars (\$75,000) be appropriated from the Community Preservation Community Housing Reserve to fund Community Preservation Application 2022-04 "Site Assessment Study".

Quantum of Town Meeting Vote: Majority

MOTION 5: Squannacook River Rail Trail

I move, pursuant to Massachusetts General Laws, Chapter 44B, Section 5, that the sum of Two Thousand Dollars (\$2,000) be appropriated from the Community Preservation Fund Open Space Reserve and the sum of Twenty-Eight Thousand Dollars (\$28,000) be appropriated from the Community Preservation Fund Unallocated Reserve for a total of \$30,000, to fund Community Preservation Application 2022-06 "Squannacook River Rail Trail".

Quantum of Town Meeting Vote: Majority

MOTION 6: Duck Pond Restoration, Phase 2

I move, pursuant to Massachusetts General Laws, Chapter 44B, Section 5, that the sum of Nineteen Thousand Eight Hundred Dollars (\$19,800) be appropriated from the Community Preservation Unallocated Reserve to fund Community Preservation Application 2022-07 "Duck Pond Restoration, Phase 2".

Quantum of Town Meeting Vote: Majority

MOTION 7: Housing Coordinator

I move, pursuant to Massachusetts General Laws, Chapter 44B, Section 5, the sum of Fifty-One Thousand Six Hundred Seventeen Dollars (\$51,617) be appropriated from the Community Preservation Fund Community Housing Reserve to fund Community Preservation Application 2022-08 "Affordable Housing Coordinator".

Quantum of Town Meeting Vote: Majority

MOTION 8: Groton Dunstable Field Restoration Plan

I move, pursuant to Massachusetts General Laws, Chapter 44B, Section 5, the sum of Two Hundred Thirty Thousand, Two Hundred Thirty-Two Dollars (\$230,232) be hereby appropriated to fund Community Preservation Application 2022-09 "Groton Dunstable Field Restoration Plan"; that to meet this appropriation the sum of Ninety-Eight Thousand Two Hundred Thirty-Two Dollars (\$98,232) be appropriated from the Community Preservation Unallocated Reserve; and further, the Treasurer, with the approval of the Select Board, be authorized to borrow the sum of \$132,000, to be expended by the Town Manager, under and pursuant to Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and, further, that the Town Manager be authorized to contract for the accomplishment of the foregoing purpose, including the expenditure of all appropriated funds and any funds received from any source for such purchase, and, further, that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Quantum of Town Meeting Vote: 2/3's Majority

MOTION 9: Conservation Fund

I move, pursuant to Massachusetts General Laws, Chapter 44B, Section 5, that the sum of Three Hundred Fifty Thousand Dollars (\$350,000) be appropriated from the Community Preservation Fund Unallocated Reserve to fund Community Preservation Application 2022-10 "Conservation Fund".

Quantum of Town Meeting Vote: Majority

MOTION 10: Multi-Use Recreational Courts

I move, pursuant to Massachusetts General Law, Chapter 44B, Section 5, that the sum of One Hundred Fifty-Seven Thousand Four Hundred Eighty Dollars (\$157,480) be appropriated from the Community Preservation Fund Unallocated Reserve to fund Community Preservation Application 2022-12 "Multi-Use Recreational Courts at the Groton Country Club, Restoration Project".

Quantum of Town Meeting Vote: Majority

MOTION 11: Original Interior Skylight Restoration

I move, pursuant to Massachusetts General Laws, Chapter 44B, Section 5, that the sum of Three Thousand Dollars (\$3,000) be appropriated from the Community Preservation Historic Reserve to fund Community Preservation Application 2022-13 "Original Interior Skylight Restoration".

Quantum of Town Meeting Vote: Majority

ARTICLE 15: AMEND ZONING BYLAW – CLARIFICATIONS

Mover: Russell Burke

MOTION: I move that the Code of the Town of Groton, Chapters 218-9.4 and 218-13 "Schedule of Use Regulations" be amended as set forth in the Warrant for the 2021 Spring Town Meeting.

Quantum of Town Meeting Vote: 2/3's Majority

ARTICLE 16: BYLAW PROHIBITING POLYSTYRENE CONTAINERS

Mover: Jason Weber

MOTION: I move that the Town amend the General Bylaws by adding a new Chapter 199 of the Code of the Town of Groton, entitled "Polystyrene Container Restrictions for Food Service Establishments" as set forth in the Warrant for the 2021 Spring Town Meeting.

Quantum of Town Meeting Vote: Majority

ARTICLE 17: TRANSFER CONTROL OF LAND

Mover: Nate Shapiro

MOTION: I move that the jurisdiction, care, custody, and control of a parcel of land shown on a Plan of Land entitled Community Preservation Act Acquisition by the Town of Groton, Massachusetts, prepared by Beals Associates, Inc. and dated April 21, 2006, be hereby transferred from the Select Board to the Groton Conservation Commission, for open space and recreation purposes.

Quantum of Town Meeting Vote: Majority

CONSENT MOTION #4 – Articles 18 through 31

Mover: Alison Manugian

MOTION: I move that the Town vote to combine for consideration Articles 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31 of the Warrant for this Town Meeting and that the Town take affirmative action on said articles as set forth in the motions in the Town Meeting Information Handout, without debate and in accordance with the action proposed under each motion, provided, however, that if any voter, prior to the taking of the vote, requests the right to debate a specific article, then said article shall be removed from this motion and acted upon in the ordinary course of business.

Quantum of Town Meeting Vote: Majority

ARTICLE 18: CURRENT YEAR LINE-ITEM TRANSFERS

MOTION: I move that Article 18 be indefinitely postponed.

Quantum of Town Meeting Vote: Majority

ARTICLE 19: APPROPRIATE MONEY TO OFFSET SNOW AND ICE DEFICIT

MOTION: I move that Article 19 be indefinitely postponed.

Quantum of Town Meeting Vote: Majority

ARTICLE 20: TRANSFER WITHIN WATER ENTERPRISE FUND

MOTION: I move that the sum of \$122,000 be transferred from the Water Enterprise Fund Surplus to the Fiscal Year 2021 Water Enterprise Department Budget for general expenses.

Quantum of Town Meeting Vote: Majority

ARTICLE 21: TRANSFER WITHIN CENTER SEWER ENTERPRISE FUND

MOTION: I move that the sum of \$210,000 be transferred from the Center Sewer Enterprise Fund Surplus to the Fiscal Year 2021 Center Sewer Enterprise Department Budget for general expenses.

Quantum of Town Meeting Vote: Majority

ARTICLE 22: TRANSFER WITHIN FOUR CORNERS SEWER ENTERPRISE FUND

MOTION: I move that the sum of \$35,000 be transferred from the Four Corners Sewer Enterprise Fund Surplus to the Fiscal Year 2021 Four Corners Sewer Enterprise Department Budget for general expenses.

Quantum of Town Meeting Vote: Majority

ARTICLE 23: TRANSFER WITHIN CABLE ENTERPRISE FUND

MOTION: I move that the sum of Ten Thousand Dollars (\$10,000) be transferred from the Cable Enterprise Fund Surplus to the Fiscal Year 2021 Cable Enterprise Department Budget.

Quantum of Town Meeting Vote: Majority

ARTICLE 24: PRIOR YEAR BILLS

MOTION: I move that the sum of Eight Hundred Sixty-Two Dollars and Fifty-Five Cents (\$862.55) be transferred from the Excess and Deficiency Fund (Free Cash) for the payment by the Town Manager of the following bills of a prior fiscal year:

Turf Unlimited	\$193.25
Tuft Unlimited	\$219.30
Turf Unlimited	\$200.00
A-1 Odd Jobs	<u>\$250.00</u>

Total \$862.55

Quantum of Town Meeting Vote: 4/5's Majority

ARTICLE 25: AUTHORIZATION TO TRANSFER MONEY FROM FREE CASH

MOTION: I move to transfer the sum of \$71.92 from Free Cash to offset a deficit balance in the FY20, 911 EMD Grant and, furthermore, transfer the further sum of \$167.16 from Free Cash to offset a deficit balance in the FY20 911 Training Grant.

Quantum of Town Meeting Vote: Majority

ARTICLE 26: AUTHORIZATION TO TRANSFER MONEY FROM FREE CASH

MOTION: I move to transfer the sum of \$1,861.04 from Free Cash to offset a deficit balance in the Fire Details Agency Account.

Quantum of Town Meeting Vote: Majority

ARTICLE 27: DEBT SERVICE FOR SURRENDEN FARMS

MOTION: I move that, pursuant to Massachusetts General Laws, Chapter 44B, Section 5, the sum of One Hundred Forty-Five Thousand Dollars (\$145,000) be appropriated from the Community Preservation Fund Open Space Reserve and the sum of Fifty-Nine Thousand One Hundred Fifty Dollars (\$59,150) be appropriated from the Community Preservation Fund Unallocated Reserve, for a total of \$204,150 to fund the Surrenden Farm debt service for Fiscal Year 2022.

Quantum of Town Meeting Vote: Majority

ARTICLE 28: ASSESSORS QUINQUENNIAL CERTIFICATION

MOTION: I move that the sum of \$29,200 be transferred from the Excess and Deficiency Fund (Free Cash), to be expended by the Board of Assessors, for the purpose of completing the five-year full certification program necessary to achieve full and fair cash value in accordance with the requirements of G.L. c. 40, § 56 and c. 58, §§1, 1A and 3 and the Massachusetts Department of Revenue.

Quantum of Town Meeting Vote: Majority

ARTICLE 29: ESTABLISHING LIMITS FOR THE VARIOUS REVOLVING FUNDS

MOTION: I move that pursuant to the provisions of G.L. chapter 44 section 53E ½ and the Revolving Fund Bylaw, the FY 2022 spending limits for the various revolving funds be set as follows:

Program or Purpose	FY 2022 Spending Limit
Stormwater Management	\$20,000
Conservation Commission	\$50,000
Building Rental Fund	\$50,000
Affordable Housing Marketing	\$20,000
Home Recycling Equipment	\$10,000
Access for Persons with Disabilities	\$10,000
Boat Excise Tax Fund	\$ 5,000
Transfer Station Glass	\$10,000
Senior Center Fitness Equipment	\$10,000

Quantum of Town Meeting Vote: Majority

ARTICLE 30: ACCEPT LAW INCREASING REAL ESTATE TAX EXEMPTIONS

MOTION: I move that the provisions of Massachusetts General Laws Chapter 59, §5C1/2, inserted by Section 14 of Chapter 62 of the Acts of 2014, be hereby accepted for the purpose of increasing the real estate tax exemptions by 100 percent to all persons who qualify for property tax exemptions under Clauses 17, 17C, 17C1/2, 17D, 22, 22A, 22B, 22C, 22D, 22E, 22F, 22G, 37, 37A, 41, 41B, 41C, 41C½, 42, 43, 56 or 57 of G.L. c. 59, §5.

Quantum of Town Meeting Vote: Majority

ARTICLE 31: ACCEPT PROVISIONS OF M.G.L., CHAPTER 59, §5, CLAUSE 22F

MOTION: I move that the Town vote to accept the provisions of Massachusetts General Laws, Chapter 59, §5, last paragraph/sub-clause of clause 23 be accepted, which clause, for clauses 22, 22A, 22B, 22C, 22D, 22E and 22F of section 5, allows the Town to reduce from five consecutive years to one year the residency requirement for, making certain veterans and their surviving spouses or parents, eligible for the property tax exemptions of said clauses 22 through 22F under Mass. General Laws.

Quantum of Town Meeting Vote: Majority

	Elected	Appointed Select Board	Appointed Town Manager	Size	Vacancies			
Mandated Boards/Committees	Board of Assessors			3	0	DOR, Charter		
	Board of Health			3	0	Charter		
	Commissioners of Trust Funds			3	0	Charter	manages and controls all trust funds given or	
	Groton Electric Light Commission			3	0	Charter	set the policy direction of the Groton Electric Light	
	Groton Sewer Commission			3	2	Charter		
	Groton Water Commission			3	0	Charter		
	Groton-Dunstable School Committee			5	0	Charter		
	Housing Authority			5	1	Charter, MGL	shall conduct studies of the housing needs of the	
	Library Trustees			6	0	Charter	shall appoint the library director establish written policies governing library activities	
	Park Commission			5	1	Charter		
	Planning Board			7	1	Charter		
	Select Board			5	0	Charter		
			Finance Committee		7	0	Charter	present recommendations during the town budget
			Personnel Board		3	1	Charter	advisory board to the Human Resources Director,
			Affordable Housing Trust		5	0	M.G.L. C 44 S 55C per	may receive title to actual housing units, parcels of
			Community Preservation Committee		7	0	MGL C44B S5	
			Conservation Commission		7	0	MGL C40 S8C	
			NVTHS School Committee		1	0	MGL C 71, S 37	
			Board of Registrars		4	1	MGL C 51 S 15	
			MBTA Advisory Board		2	2		public oversight of the MBTA with approval powers
			Montachusett Joint Transportation Committee		1	0		
			Montachusett Regional Planning Commission		1	0		
			Zoning Board of Appeal		9	1	MGL 40A S12 mandates	
			Scholarship Committee		7	1	MGL C60 S3C	Scholarship Committee may distribute financial aid
				Historic Districts Commission	7	0	MGL C40C S4	protection and preservation of the Groton Center
				Insurance Advisory Committee	11	2	MGL C32B??	Review and make recommendations regarding insurance coverages, changes, additions, deletions,
				Sign Committee	3	0	Required by Chapter 196 of the Town Bylaws.	

Committees for discussion	Appointed Select Board	Appointed Town Manager	Size	Vacancies	Haddad Comments	Manugian Comments
	Capital Planning Advisory Committee		5	0	Recommend Continue	
	Diversity Task Force		11	0	Recommend Continue	
	Complete Streets Committee		8	2	Recommend Continue	
	Commemorations and Celebrations Committee		4	1	Recommend Continue	
	Council on Aging		9	0	Recommend Continue	
	Invasive Species Committee		9	1	Formed by the Select Board at Select Board Degen's request about five years ago. Has been very active. Would recommend they continue.	why not under conservation commission?
	Sargisson Beach Committee		5	3	I recommend disbanding and turning it over to the Conservation Commission.	why not under Parks?
	Local Cultural Council		10	3	Required by General Laws in order to receive state grants for the Arts. I would leave as is.	
	Housing Partnership		5	3	This one is above my paygrade!! :)	ZBA role
		Agricultural Commission	5	0	Recommend Continue	
		Commission on Accessibility	7	0	Recommend Continue	
		Historical Commission	7	2	Recommend Continue	
		Emergency Management Agency	26	-1	Disband as a Committee - Individuals Appointed by Town Manager to Assist EMD	
		Local Emergency Planning Committee	12	9	Recommend Continue	
		Regional Emergency Planning Committee	1	0	Disband as a Committee	
		Great Pond Advisory Committee	9	4	Created in 2004 by the Select Board. Would recommend continue.	why not under conservation commission?
		Greenway Committee	5	1	Created in 1989. Not sure how active. Would recommend disbanding the Committee.	active?
		Town Forest Committee	3	0	Created by a vote of Town Meeting in 1922. Would recommend keeping.	why not under conservation commission?
		Trails Committee	11	0	Of all the Committees, probably the most active in terms of maintaining trails. Would recommend this committee continues.	why not under conservation commission?
	Weed Harvester Committee	7	3	Committee formed in 1992. Has been active most recently overseeing the weed harvesting and maintenance plan of Baddacook Pond. Would recommend they continue.	why not under conservation commission?	
	Williams Barn Committee	9	2	Formed by Select Board in 2003, specifically to oversee the Williams Barn. They run the Farmers Market and continually work to maintain the Barn. I would recommend they continue.	why not historical commission?	

	Old Burying Ground Commission	5	2	Formed in 1991 by the Select Board to oversee the Old Burying Ground. Not sure why we need them. I would recommend we turn this over to the DPW.	why not historical commission?
	Recycling Committee	5	0	Formed in Early 1980's to oversee recycling. Not sure why we need them anymore. I would appoint Tessa David as Recycling Czar and leave everything else up to the DPW.	do we need for grants?
	Earth Removal Stormwater Advisory Committee	5	0	The Earth Removal-Stormwater Advisory Committee (the Committee) as established by Chapter 134 of the Code of the Town of Groton.	Not sure what they do and in what capacity
	Conductorlab Oversight	5	1	No idea why we still need this Committee. Recommend Disbandment unless someone has a compelling reason to continue. I would turn over to either Board of Health or Stormwater	
	Cable Advisory Committee	5	0	Very active Committee that assists Town Manager in Cable Operation and oversees Enterprise Fund. Would leave as is.	
	Sustainability Commission	9	5	Created by Town Meeting in 2007. I would recommend disbanding. Not sure what they do or have accomplished in 14 years.	
	Master Plan Implementation Committee - method unclear	5	5	Under Planning Board	
	Stewardship Committee - method unclear	7	7	Agree to move to inactive	
	Senior Center Building Committee - method unclear	7	7	Disband. Project Complete.	
	Board of Survey	3	0	No Idea why we need this. Disband.	why not planning board?

Town of Groton
General Fund Statement of Revenues & Expenditures
March 31, 2021

	Current	July - Mar	Variance	3rd Qtr	Final FY20	July - June	July - Mar	3rd Qtr.Variance	3rd Qtr	% of Budget	Notes
Revenue	Budget FY21	Actual FY21	to FY21 Budget	% of Budget	Budget	Actual FY20	Actual FY20	to FY20 Budget	% of Budget	Change	
State Aid (Lottery/Exempts/Van)	950,546	721,538	(229,008)	75.91%	971,581	1,079,211	817,290	(154,291)	84.12%	90.24%	FY19 Qtr4 UGGA rec'd 1st Qtr FY20
Motor Vehicle/Boat Excise	1,555,341	1,406,091	(149,250)	90.40%	1,577,642	1,718,301	1,071,331	(506,311)	67.91%	133.12%	
Local Option Meals Tax	100,000	109,024	9,024	109.02%	150,000	172,096	161,421	11,421	107.61%	101.31%	Covid suppressed revenue FY21
Local Option Room Occupancy Tax	50,000	24,922	(25,078)	49.84%	50,000	45,994	42,020	(7,980)	84.04%	59.31%	Covid suppressed revenue FY21
Penalties and Interest on Taxes	110,000	87,575	(22,425)	79.61%	90,000	93,835	60,062	(29,938)	66.74%	119.28%	4th Qtr FY20 rec'd 1st Qtr FY21 (deferrals)
Payments in Lieu of Taxes	265,000	85,801	(179,199)	32.38%	260,000	242,168	175,119	(84,881)	67.35%	48.08%	Groton Sch received early FY20
Other Charges for Service (Dunst)	82,000	84,996	2,996	103.65%	82,000	79,319	800	(81,200)	0.98%	10576.53%	Billed late in FY20 (timing difference)
Country Club Revenue	491,045	380,473	(110,572)	77.48%	493,838	323,711	231,443	(262,395)	46.87%	165.31%	FY21 Golf Revenue boosting CC performance
Fees (incl Van vouchers)	306,000	317,927	11,927	103.90%	289,737	340,328	278,011	(11,726)	95.95%	108.29%	Planning Brd/Solid Waste Activity up in FY21
Rentals (Cell Towers)	40,000	39,935	(65)	99.84%	49,000	49,900	33,299	(15,701)	67.96%	146.91%	GPH \$3k FY21, \$3k 3/20 SBA Rent rec'd 4/20
Library Fines	6,000	742	(5,258)	12.37%	12,000	7,620	7,401	(4,599)	61.68%	20.06%	Covid suppressed revenue FY21
Other Departmental Revenue	725,000	639,150	(85,850)	88.16%	700,000	517,610	447,819	(252,181)	63.97%	137.81%	GELD 4th Qtr FY20 rec'd in FY21 (\$165k)
Licenses and Permits	300,000	351,074	51,074	117.02%	300,000	455,235	388,906	88,906	129.64%	90.27%	
Fines and Forfeits	20,000	14,817	(5,183)	74.09%	25,000	19,784	15,540	(9,460)	62.16%	119.19%	On track to meet budget FY21
Investment Income	40,000	27,086	(12,914)	67.72%	40,000	44,398	34,894	(5,106)	87.24%	77.62%	
Misc Non-recurring (State Aid)	0	0	0		0	0	0	0			
Misc (Bond Prem Amort & Other)	894	11,857	10,963	1326.29%	14,318	21,887	10,253	(4,065)	71.61%	1852.10%	FY21 Vehicle Auction/Vendor Refund
Enterprise Allocation for Indirects	256,264	183,773	(72,491)	71.71%	236,288	233,221	158,624	(77,664)	67.13%	106.82%	Benefit Reimbursement
Real Estate and Personal Prop	34,849,318	25,757,720	(9,091,598)	73.91%	33,723,200	33,332,029	24,867,770	(8,855,430)	73.74%	100.23%	
Total Revenue	40,147,408	30,244,501	(9,902,907)	75.33%	39,064,604	38,776,647	28,802,003	(10,262,601)	73.73%	102.17%	
Expenditures (Operating Expenses)											
General Government	2,645,888	1,812,337	833,551	68.50%	2,556,043	2,296,179	1,730,075	825,968	67.69%	101.20%	
Public Safety General Fund**	4,395,632	2,790,565	1,605,067	63.48%	4,391,829	4,024,150	2,813,364	1,578,465	64.06%	99.09%	
Department of Public Works	2,294,853	1,598,166	696,687	69.64%	2,250,122	2,224,602	1,724,640	525,482	76.65%	90.85%	
Culture, Rec, & Citizen's Svcs	1,695,650	1,042,467	653,183	61.48%	1,695,450	1,505,855	1,174,164	521,286	69.25%	88.78%	
Employee Benefits and Other*	3,966,369	3,612,843	353,526	91.09%	3,841,547	3,687,478	3,376,794	464,753	87.90%	103.63%	HI enrollment/Unemployment trending up FY21
Total Operating Expenses	14,998,392	10,856,378	4,142,014	72.38%	14,734,991	13,738,264	10,819,037	3,915,954	73.42%	98.58%	
**\$301,603 = Dispatch Grants Awarded for FY21, \$219,451 offset to Dispatch Budget thru 3/31/21											
**\$294,740= Dispatch Grants Awarded for FY20, \$276,988 offset to Dispatch Budget thru 3/31/20											
Expenditures (Non -Operating Exp.)											
Special Articles Voted for Current Yr	544,670	80,007	464,663	14.69%	514,945	375,378	287,838	227,107	55.90%	26.28%	
PY Articles/Enc(SeeUse of Enc Below)	553,657	189,275	364,382	34.19%	485,927	169,275	136,549	349,378	28.10%	121.67%	
Education	23,680,684	17,760,513	5,920,171	75.00%	23,251,705	23,251,705	17,620,979	5,630,726	75.78%	98.97%	
Debt Service	1,737,302	1,222,073	515,229	70.34%	1,604,192	1,604,191	1,055,134	549,058	65.77%	106.95%	
Intergovernmental (State Offsets)	94,829	71,122	23,707	75.00%	93,392	93,392	70,044	23,348	75.00%	100.00%	
Total Non - Operating Expenses	26,611,142	19,322,990	7,288,152	72.61%	25,950,161	25,493,941	19,170,544	6,779,617	73.87%	98.29%	
Excess (Deficiency) Before OFS&U	(1,462,126)	65,133	1,527,259	-4.45%	(1,620,548)	(455,558)	(1,187,578)	432,970	73.28%	-6.07%	
Other Financing Sources											
Transfers from Other Funds	1,076,477	1,076,477	0	100.00%	1,324,592	1,324,592	1,484,832	(160,240)	112.10%	89.21%	CapStab/EMS Receipts
Use of Avail. Funds: Encumbrances	553,047	553,047	0	100.00%	482,477	482,477	482,477	0	100.00%	100.00%	Funded in Prior Fiscal Year
Avail. Funds: F. C./Overlay Surplus	461,686	461,686	0	100.00%	381,507	381,507	381,793	286	100.07%	99.93%	
Total OFS	2,091,210	2,091,210	0	100.00%	2,188,576	2,188,576	2,349,102	(159,954)	107.33%	93.17%	
Other Financing Uses											
Overlay & Deficits to be Raised	293,081	293,081	0	100.00%	220,799	220,799	220,799	0	100.00%	100.00%	Sno&Ice/Library Offset/Overlay/RecapDebt
Transfers to Other Funds	339,618	338,268	1,350	99.60%	341,526	341,526	341,526	0	100.00%	99.60%	Stabilization/OPEB/Capital Projects BANS
Total OFU	632,699	631,349	1,350	99.79%	562,325	562,325	562,325	0	100.00%	99.79%	
Excess (Deficiency) Incl. OFS&U	(3,615)	1,524,994	1,528,609		5,703	1,170,693	599,199	593,496			

Town of Groton
General Fund Statement of Revenues & Expenditures
March 31, 2021

	<i>Current Budget FY21</i>	<i>July - Mar Actual FY21</i>	<i>Variance to FY21 Budget</i>	<i>3rd Qtr % of Budget</i>	<i>Final FY20 Budget</i>	<i>July - June Actual FY20</i>	<i>July - Mar Actual FY20</i>	<i>3rd Qtr.Variance to FY20 Budget</i>	<i>3rd Qtr % of Budget</i>	<i>% of Budget Change</i>	<i>Notes</i>
Salaries/Wages Expenditures by Function of Government											
General Government:											
BOS/Town Manager	358,451	261,760	96,691	73.03%	348,637	348,495	252,332	96,305	72.38%	100.90%	
Accountant	146,710	107,323	39,387	73.15%	142,947	142,931	104,541	38,406	73.13%	100.03%	
Assessors	145,256	99,282	45,974	68.35%	141,130	141,130	102,121	39,009	72.36%	94.46%	
Treasurer/Collector	213,012	156,856	56,156	73.64%	212,403	212,403	152,847	59,556	71.96%	102.33%	
Personnel	84,313	62,344	21,969	73.94%	82,673	82,673	61,135	21,538	73.95%	99.99%	
Information Technology	178,099	129,226	48,873	72.56%	173,753	173,753	126,399	47,354	72.75%	99.74%	
Town Clerk/Elections	178,939	129,034	49,905	72.11%	158,012	155,214	111,564	46,448	70.60%	102.14%	
Land Use Conservation Comm.	71,545	51,848	19,697	72.47%	70,169	70,043	51,637	18,532	73.59%	98.48%	
Land Use Inspection Services	211,645	159,072	52,573	75.16%	212,330	201,004	128,556	83,774	60.55%	124.13%	FY21 includes Bldg Insp Retirement costs
Land Use (Planning/ZBA)	106,893	77,665	29,228	72.66%	103,841	103,841	75,854	27,987	73.05%	99.47%	
Total General Government	1,694,863	1,234,410	460,453	72.83%	1,645,895	1,631,487	1,166,986	478,909	70.90%	102.72%	
Public Safety:											
Police Department	2,237,198	1,483,664	753,534	66.32%	2,207,441	2,177,171	1,543,457	663,984	69.92%	94.85%	
Fire Department/EMS	1,238,244	817,637	420,607	66.03%	1,174,641	1,091,971	789,145	385,496	67.18%	98.29%	
Dispatch (paid from Gen Fund) **	416,823	249,885	166,938	59.95%	479,816	337,559	184,731	295,085	38.50%	155.71%	Reduced Grant Support FY21
Animal Cntrl/Dog Officer	19,164	13,508	5,656	70.49%	19,164	19,164	14,005	5,159	73.08%	96.48%	
Total Public Safety	3,911,429	2,564,694	1,346,735	65.57%	3,881,062	3,625,865	2,531,338	1,349,724	65.22%	100.54%	
Department of Public Works:											
Municipal Buildings	149,451	106,686	42,765	71.39%	145,276	144,189	102,635	42,641	70.65%	101.05%	
Highway	823,714	539,407	284,307	65.48%	815,890	796,913	575,966	239,924	70.59%	92.76%	
Snow & Ice	140,000	126,333	13,667	90.24%	140,000	148,927	129,107	10,893	92.22%	97.85%	
Solid Waste	143,243	97,583	45,660	68.12%	138,211	134,303	94,159	44,052	68.13%	99.99%	
Total DPW	1,256,408	870,009	386,399	69.25%	1,239,377	1,224,332	901,867	337,510	72.77%	95.16%	
Culture, Rec. & Citizen's Svcs:											
COA/COA Van	214,985	135,051	79,934	62.82%	208,861	189,408	151,017	57,844	72.31%	86.88%	Covid impact to programming FY21
Vets Svcs/Water Safety/Graves	9,450	3,904	5,546	41.31%	9,368	6,765	5,804	3,564	61.96%	66.67%	Covid impact to water safety program FY21
Library	739,323	481,843	257,480	65.17%	724,398	672,272	505,158	219,240	69.73%	93.46%	
Country Club	290,634	182,703	107,931	62.86%	277,017	276,992	210,963	66,054	76.16%	82.54%	Xtra lifeguards/Club Attendant 1st Qtr FY20
Total Culture, Rec. & Citizen's Svcs	1,254,392	803,501	450,891	64.06%	1,219,644	1,145,437	872,942	346,702	71.57%	89.51%	
Grand Total Salaries & Wages	8,117,092	5,472,614	2,644,478	67.42%	7,985,978	7,627,121	5,473,133	2,512,845	68.53%	98.38%	
Benefits:											
County Retirement	2,090,289	2,090,289	0	100.00%	1,973,053	1,973,053	1,973,053	0	100.00%	100.00%	
Health / Life Insurance *	1,726,080	1,422,587	303,493	82.42%	1,707,394	1,582,431	1,308,371	399,023	76.63%	107.56%	Enrollment increased for FY21
Other Benefits (Medicare/Unemplmt)	150,000	99,967	50,033	66.64%	161,100	131,994	95,370	65,730	59.20%	112.57%	Unemployment claims up \$8,000
Total Benefits	3,966,369	3,612,843	353,526	91.09%	3,841,547	3,687,478	3,376,794	464,753	87.90%	103.63%	
Total Salaries/Wages/Benefits	12,083,461	9,085,457	2,998,004	75.19%	11,827,525	11,314,599	8,849,927	2,977,598	74.82%	100.49%	

** \$145,245 = Dispatch Wage Grants Awarded for FY21; \$120,313 offset to Dispatch Budget thru 3/31/21

**\$200,574 = Dispatch Wage Grants Awarded for FY20, \$190,268 offset to Dispatch Budget thru 3/31/20

FISCAL YEAR 2021 GOALS OF THE GROTON SELECT BOARD

While the Select Board has set several goals for this year, a majority of their time and effort (as well as the Town Manager's) will be focused in FY 2021 on managing through the Pandemic/State of Emergency and Union Contract Negotiations.

1. Review Existing Committees Select Board Member Assigned – Alison Manugian

Goal: Conduct a review of and make adjustments to all existing committees under SB purview. Review based on membership count & meeting frequency. Review charge and 'output' relating thereto & make adjustments as needed & combining committees where/if this makes sense. Review overall committee structures and efficacy

Measurable Benchmark: A sub-committee is formed made up of members of the Board, the Town Manager and the Executive Assistant by October 1, 2020. A thorough review and recommendation on what Committees are to continue and what are to be disbanded is made by February 1, 2021.

October 19, 2020 Update No action taken as of yet. The Town Manager plans on setting up a meeting in the near future with the Chair of the Select Board and Executive Assistant to start this process.

February 8, 2021 Update This item is scheduled on the Agenda for the Board's meeting of February 22, 2021.

April 26, 2021 Update On Select Board Agenda for April 26th for final recommendation from Select Board Chair and Town Manager.

2. Review Trainings Offered to Employees Select Board Member Assigned – John Giger

Goal: Conduct a review of trainings offered to employees upon hire and an on an ongoing basis. Determine which trainings are mandatory and determine if the process of finding programs is management driven. Determine if trainings are related to specific topics of concern to management and the community.

Measurable Benchmark: A sub-committee is formed made up of members of the Board, the Personnel Board, the Town Manager and the Human Resources Director to review all trainings offered by October 1, 2020. A listing of trainings is created and approved by the Select Board by March 1, 2021. The trainings are to be reviewed annually by the Town Manager and Human Resources Director.

October 19, 2020 Update The Human Resources Director is in the process of developing a list of all trainings offered. Once completed, the Town Manager will organize a meeting with Select Board Member Giger, Personnel Board Chair Robertson and the Human Resources Director to review and recommend additional trainings, if necessary.

February 8, 2021 Update A list of trainings has been established and reviewed by the Town Manager, Select Board Member Giger, Select Board Chair Manugian and Human Resources Director Melisa Doig. These trainings will be reviewed annually. This goal is completed.

April 26, 2021 Update Goal Complete.

**3. Understand Options and Alternatives for Affordable Housing
Select Board Member Assigned – Becky Pine**

Goal: Use the information in the Housing Production Plan regarding available town-owned land, and work collaboratively with the Affordable Housing Trust to take steps toward increasing the number of Affordable Housing Units in Groton.

Measurable Benchmark: A workshop between the Select Board and Affordable Housing Trust is scheduled by January 1, 2021 to review the issue in more detail, with the expectation that a formal plan is adopted by both Boards by the 2021 Spring Town Meeting, with the ultimate goal of creating new affordable housing units within three years.

October 19, 2020 Update The workshop has been scheduled for November 16, 2020.

February 8, 2021 Update The workshop was held and was very informative. The Affordable Housing Trust has submitted a CPA Application for funding (\$150,000) to further explore the development of low-income housing. Hopefully, the CPC will move this forward to Town Meeting for approval.

April 26, 2021 Update Town Meeting will vote on appropriation for Housing Trust's request of \$75,000. Housing Trust working with Diversity Task Force to schedule an Affordable Housing Summit.

**4. Assess Long Term Needs of Prescott School
Select Board Member Assigned – John Reilly**

Goal: Assess Prescott long term needs and identify options to move forward. Develop renovation cost & construction duration. Develop Funding Sources.

Measurable Benchmark: Prior to going out to bid for a new long-term lease of the Prescott School, the Select Board, in conjunction with the Prescott Oversight Committee, determines what, if any, changes need to be made to the RFP.

October 19, 2020 Update The RFP was issued and will be awarded on October 19th. The Oversight Committee will be making a recommendation to the Board on a lease that addresses the long-term viability of the Prescott School.

February 8, 2021 Update The Select Board has awarded a three-year lease to the Friends of Prescott to manage/operate the Prescott School. This lease has renewal clauses based on performance. In addition, a sprinkler system and fire alarm system has been installed that will allow the Friends of Prescott to rent the second floor of the building. This goal is completed in the short-term.

April 26, 2021 Update No new Update – Goal complete for the time being.

**5. Review Town’s Participation in Community Preservation Act
Select Board Member Assigned – Joshua Degen**

Goal: Continue Review with the Community Preservation Committee to determine if Town will continue to participate in the Community Preservation Act.

Measurable Benchmark: Schedule a second workshop with the Community Preservation Committee by December 31, 2020 to follow-up on workshop held in the Spring of 2020. Decide if an Article will be placed on the 2021 Spring Town Meeting Warrant and Election to end the Town’s participation in the CPA, or change the percentage is warranted.

October 19, 2020 Update Need to schedule workshop with CPC.

February 8, 2021 Update The workshop was held on February 1, 2021. Members of the CPC, Finance Committee and Select Board participated. A review of the surcharge and the revenue received from the state along with future anticipated revenues took place at this meeting. At the conclusion of the review, the Select Board voted to leave the CPA percentage at 3% for the time being. This goal is completed.

April 26, 2021 Update Goal Complete

FISCAL YEAR 2021 GOALS OF THE TOWN MANAGER

1. Union Contract Negotiations

Goal: Determine guidance for Town Manager on upcoming negotiations, including whether or not to have a member of the School Committee participate in advisory discussions with Town Manager.

Measurable Benchmark: Schedule guidance meeting with Finance Committee and Town Manager by October 1, 2020. Develop strategy for the upcoming negotiations prior to Town Manager starting negotiations with all seven unions.

October 19, 2020 Update The Select Board will hold an Executive Session on October 19th to discuss this with the Town Manager. A follow-up Executive Session with the Select Board and Finance Committee is scheduled for October 26th.

February 8, 2021 Update The Town Manager and his bargaining teams have reached tentative agreements with five of the Town's seven unions. By the end of this meeting, the Select Board will have hopefully ratified all five of the Tentative Agreements. There are still two contracts (Fire & Superior Officers) left to settle.

April 26, 2021 Update All contracts settled and approved. Goal Complete.

2. Review and Update Traffic Rules and Regulations

Goal: Review and update Chapter 266, Traffic Rules and Regulations, of the Code of Groton since the last update was in 2009. Update and confirm all new streets, as well as their speed and traffic control signage. Ensure traffic signage on the ground matches the traffic signage called for in Chapter 266. Review all speed regulations and bring them up to date, as well as parking violations and fines.

Measurable Benchmark: Establish a sub-committee made up of a member of the Select Board, Town Manager, Town Clerk, Executive Assistant and Police Chief by September 1, 2020. A thorough review and update of the existing Rules and Regulations is presented to the Select Board for a public hearing by March 1, 2021. The revised rules and regulations are adopted by the Select Board by June 1, 2021.

- October 19, 2020 Update No action as of yet. Will begin review in the next month or two.
- February 8, 2021 Update The Town Manager, Police Chief, Town Clerk, DPW Director and Executive Assistant have been working on reviewing and updating the Rules and Regulations. A public hearing is scheduled for March 1, 2021 for the Select Board to review/approve the updated Rules and Regulations.
- April 26, 2021 Update Select Board adopted the revised Rules and Regulations at their March 22nd Meeting. Goal Complete.

3. Develop Strategy to Address Long Term Disability

Goal: Explore ways to prepare for, and cover the costs of, long-term employee absences, via insurance, or other methods of setting funds aside to pay for these costs.

Measurable Benchmark: Town Manager and Human Resources Director develop a plan/strategy for ways to pay for long-term absences and present it to the Select Board for adoption by December 31, 2020.

October 19, 2020 Update The Human Resources Director has begun looking into various plans. The Town Manager and Human Resources Director will have a proposal to the Board by the end of the year.

February 8, 2021 Update Please see attached email from the Human Resources Director to the Town Manager. After a review various short-term/long-term disability insurance, she has recommended that is not in the Town's best interest to add this benefit. The Town Manager has adopted this recommendation. This goal is completed.

April 26, 2021 Update Goal Complete.

**SELECT BOARD MEETING MINUTES
VIRTUAL MEETING
MONDAY, APRIL 12, 2021
UN-APPROVED**

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

Also Virtually Present: Mark W. Haddad, Town Manager; Dawn Dunbar, Executive Assistant; Melisa Doig, HR Director; Michael Hartnett, Tax Collector/Treasurer; Hannah Moller, Assistant Tax Collector/Treasurer; Megan Foster, Principal Assistant Assessor; Patricia Dufresne, Town Accountant; Shawn Campbell, Country Club General Manager; Michael Bouchard, Town Clerk; Finance Committee Members: Robertson, Doody, Manugian, Prest, Linskey, Whitefield, Green; CPC Members: Easom, Perkins, Eliot, DeGroot, Emerson, Hewitt; Eileena Long and David Saindon, Left Field; Fay Raynor, GDRSD; Kevin Lindemer; Affordable Housing Trust Members: Lane-Hand; Perkins, Perini; Fran Stanley, Housing Coordinator

Ms. Manugian called the meeting to order at 7:00pm and reviewed the agenda.

Mr. Robertson called the Finance Committee meeting to order at 7:01pm.

TOWN MANAGER'S REPORT

1. Mr. Haddad said that as part of the Florence Roche School Construction Project, the MSBA required the Town and District to enter into a Project Scope and Budget Agreement. Mr. Haddad said that Town Counsel had reviewed and approved the Agreement as to form. He said that since the Town would be borrowing the funds on behalf of the District, both the Select Board and Regional School Committee would have to approve the Agreement. Mr. Haddad said that in order to approve the Agreement, the Select Board needed to take the following two votes:

Motion #1: "The Select Board acknowledges and approves the following statement. The following elected or appointed governmental officer(s) and/or governmental body has the full legal authority under the laws of the Commonwealth of Massachusetts and all applicable local charters, ordinances, by-laws, and policies to execute and deliver the Project Scope and Budget Agreement, and any amendments thereto, on behalf of the District and to bind the District to its terms and conditions: Superintendent and Town Manager."

Motion #2: "The Select Board acknowledges and approves the following statement. The following elected or appointed governmental officer(s) and/or governmental body has the full legal authority under the laws of the Commonwealth of Massachusetts and all applicable local charters, ordinances and by-laws to make final, binding decisions on behalf of the District with respect to the Proposed Project described in the Project Scope and Budget Agreement and any amendments thereto: Superintendent and Town Manager."

David Saindon and Eileena Long from Leftfield, the Project OPM, were in attendance. Mr. Haddad asked the Board to consider taking a vote on the above two motions. Ms. Raynor said that it would be approved by the School Committee tomorrow night and saw no issue with the School Committee approving these. Mr. Haddad said that these allowed them to approve the budget but did not trump the town meeting vote or ballot vote. He said it allowed the Superintendent and Town Manager to approve the budgets. Ms. Pine asked if both the Superintendent and Town Manager both had to agree on a budget decision. Mr. Haddad said that they did but couldn't do so without the School Committee and Building Committee approval also.

Ms. Pine moved that the Select Board acknowledge and approve the following statement: "The Select Board acknowledges and approves the following statement. The following elected or appointed governmental officer(s) and/or governmental body has the full legal authority under the laws of the Commonwealth of Massachusetts and all applicable local charters, ordinances, by-laws, and policies to execute and deliver the Project Scope and Budget Agreement, and any amendments thereto, on behalf of the District and to bind the District to its terms and conditions: Superintendent and Town Manager." Mr. Reilly seconded the motion. Roll Call: Pine-aye; Manugian-aye; Degen-aye; Reilly-aye; Giger-aye

Ms. Pine moved that the Select Board acknowledge and approve the following statement: “The Select Board acknowledges and approves the following statement. The following elected or appointed governmental officer(s) and/or governmental body has the full legal authority under the laws of the Commonwealth of Massachusetts and all applicable local charters, ordinances and by-laws to make final, binding decisions on behalf of the District with respect to the Proposed Project described in the Project Scope and Budget Agreement and any amendments thereto: Superintendent and Town Manager.” Mr. Reilly seconded the motion. Roll Call: Pine-aye; Manugian-aye; Degen-aye; Reilly-aye; Giger-aye

2. Mr. Haddad said that Chapter 5 of the Acts of 2021 authorized temporary changes to local elections held before June 30, 2021. He said that there were two changes that impacted this year’s Annual Election scheduled to be held on May 25, 2021. First, individuals taking COVID-19 precautions can vote absentee and, second, early voting had been authorized. Mr. Haddad said that he had provided the Board with a memo from the Town Clerk Michael Bouchard outlining how he would like to implement these changes for the Annual Election.

Mr. Bouchard said that absentee balloting was available for the local election this year due to COVID-19. He said that that would not be sending out applications proactively. He said they could be downloaded from their website and submitted. Mr. Bouchard said he didn’t see a reason to extend the election at this time and would be held from 7am-8pm on May 25th. Mr. Bouchard said that he would like to implement in-person early voting which he was recommending be held on Monday, May 17th-Thursday, May 20th at the Town Hall during normal business hours. Mr. Bouchard said that a vote would be needed by the Select Board citing the days and hours of early voting.

Mr. Degen made a motion that they accept the Town Clerk’s recommendation that early voting, in person, take place on Monday, May 17th 8-7, Tuesday May 18th 8-4, Wed, May 19th 8-4, Thurs, May 20th 8-4pm, that absentee ballots can be requested by telephone at 978-448-1111 and that early voting applications would be accepted effective immediately. Ms. Pine seconded the motion. Roll Call: Pine-aye; Manugian-aye; Degen-aye; Reilly-aye; Giger-aye

AFFORDABLE HOUSING TRUST – CPA APPLICATION REQUEST

The Community Preservation Committee and Affordable Housing Trust called their meetings to order at 7:19pm.

Ms. Pine said that the money they were requesting from the CPA would be used to perform engineering work, site tests, perk tests, etc. so that they could see if sites were viable options in order to see what state funds were available in an effort to provide affordable housing in Groton. Ms. Manugian said her concern with this application and request was process related adding she wanted to make sure everyone was at the table and that this was a coordinated effort. She said that they had 3 housing committees in town as an example and thought that they needed to have a housing forum first to discuss priorities, what they wanted to invest, median criteria, timeframes, etc. Mr. Giger said that he had a lengthy conversation with Trust Member Ms. Perkins last week, whom he respected greatly. He said that he was concerned about the amount of money being asked for in the first year of this initiative. He said he could support this if the funding request was cut in half to \$75K. Ms. Lane-Hand of the Trust said they had families that needed housing and wanted to be able to move quickly. She thought they could address a lot of what Ms. Manugian asked for at the community forum that was coming up. She thought this was too important to have it held up at this time. Mr. Degen said that the work the Trust was striving to do was important but hadn’t seen a cohesive effort on housing adding Ms. Manugian’s comments summed up his concerns also. Mr. Degen said that when the Trust first came forward with an application, they were looking at the reserve parcel at Surrenden Farm, which was off the table now. He said he would be more comfortable with a reduction in their request to \$30-40K but would rather not see them allocate any money at this time and wait until after the housing summit was done. Ms. Eliot said she would like to see a strategic plan submitted and thought the Trust, Partnership and Authority should work together on this. Ms. Eliot said she thought they should withdraw this article. Ms. Perkins said she wanted to remind people that the next opportunity to apply for money was next July. She said she was not opposed to reducing this but thought obtaining money now and applying in a future year was something she could support. She said that just because this money was being requested by the Trust, it didn’t mean that the groups couldn’t work together for a common goal. She said that the application change (removing Surrenden Farm reserve parcel) wasn’t a drastic change adding that many CPA applications change over the course of the application cycle.

Ms. Pine said that the money could be spent on anything legal within the law and CPC constraints. She said that there was no competition here. Ms. Pine said it was true, they didn't know what a project might look like adding that 50 units would be of interest for tax credits, grants, etc. and that they would be looking at rental units and not homeownership units. Ms. Stanley said that the low-income tax credit program was only for rental units and the most affordable for low-income housing units. Ms. Pine said that units were being created through a variety of methods and were almost always homeownership units. She said that developers didn't want to be in the business of managing and upkeeping rental units. Mr. Degen said that all these points coming up now showed there was a lack of a cohesive plan. Mr. Green said that this was going to take a while adding partnerships were going to need to be formed, location(s) would need to be found, details finalized, etc. Ms. Pine said that the whole purpose of going this route would be to hand this over to people to finalize these details. She said that this was a state and federal program they wanted to be able to utilize.

Ms. Manugian reviewed what they were being asked to support in the Trust's CPA application. Ms. Pine said that they could compromise and reduce their request to \$100k if they thought they were asking for too much money. Mr. Degen said if they found a parcel that was private owned and performed site analysis, the price of the land would go up should it show favorable testing. He said that based on this he could not support this application. Ms. Stanley said that the Trust would be very careful in investigating private land. Ms. Perkins said that they would not go in and perc someone's private property. She said that they would work with a private owner to support a project he/she might be interested in. Mr. Robertson asked what would be in place next year if this didn't pass this year. Ms. Pine said that they had a housing production plan, and had coordinated with the other 2 housing groups. Ms. Manugian said she would like to see what the options were, criteria were, etc. She said there needed to be more conversation and clarity on what the best long-term answer was for their community. Mr. Degen said that there needed to be synergy, something that didn't exist until now and thought this was their chance to do it right. Mr. Giger said that it had always puzzled him why they hadn't done much with affordable housing. He said that he was thrilled to see people working on this. He said that the Trust understood that if they didn't use this money right, they wouldn't get more. He said that he thought they should reduce the money being requested, develop a plan and see this move forward. He said that they needed to trust the people working on this.

Ms. Manugian asked the Trust if they wanted to change their requested amount in hopes of garnering more support. Mr. Haddad read a comment from Deb Busser into the record: *I don't understand the issue here. It sounds like everyone is in favor of affordable housing. Wouldn't we just be transferring money that is already sitting in CPC funds for this express purpose to essentially another account also for this express purpose? I believe we need to trust the people that are closest to this and working on it on a daily basis.*

Ms. Lane-Hand left the meeting at 8:00pm.

Ms. Pine said that the Trust was meeting later this week and could discuss reducing their request. She said she didn't think they should attempt to agree to a reduction without one member present. Ms. Eliot asked if the CPC could vote to ask the Trust to reduce their requested amount. Mr. Easom said that they could discuss that when they returned to their CPC meeting. Mr. Reilly said he thought projects would happen by private developers despite their efforts here. Mr. Reilly said he didn't want to kick the can but thought good points had been raised. He said that his only problem with this was a lack of plan and a lot of might's and maybe's. Ms. Manugian said that spending money furthered them along a pathway when a path hadn't been determined. She said there was not an amount she would support at this time. Mr. Degen said that if this was going to be brought to Town Meeting, this same discussion was going to be had which would take away from the synergy that had been achieved thus far. Ms. Perkins said that they met with the Select Board a year ago. She said that they took that discussion and followed up on the points made. She said that now they were here and asked where the Board's leadership was. She asked what they intended to do to better organize this adding they couldn't keep doing this. She said it was very frustrating to assist with housing goals and receive no leadership. Ms. Manugian said that this discussion was the leadership. Mr. Degen said that the lack of cohesiveness was why he brought this forward to the Diversity Task Force for more discussion and support. Mr. Perini said that he didn't understand what would happen once a plan was determined based on this discussion. He said that everyone would always have a different view or opinion. He said that all this was showing the voters was that they didn't have support for funding and wouldn't be moving forward with affordable housing.

Mr. Giger said he could not support the \$150K but could support a lesser amount. Mr. Reilly said he could not support \$150K. Ms. Manugian said it sounded like they were staying as 4 who did not support this article. Ms. Pine said she would be willing to reduce the amount to \$75k. Ms. Perkins and Mr. Perini said that they would also agree to support a reduction to \$75K.

Ms. Pine moved that the Affordable Housing Trust reduce their CPA application request to \$75K. Ms. Perkins seconded the motion. Roll Call: Perkins-aye; Pine-aye; Perini-aye

Mr. Haddad asked the CPC to take a position on the \$75k. Mr. Easom said he would entertain a motion to bring to Town Meeting an application for \$75K. Ms. Eliot made the motion. Mr. Hewitt seconded. Roll Call: DeGroot-aye; Eliot-aye; Hewitt-aye; Perkins-aye; Easom-abstain. Mr. Emerson was not available to respond and was left to decide at Town Meeting.

Mr. Robertson asked the Finance Committee for a motion to agree to support CPC application for site assessment of \$75K. Mr. Manugian made the motion. Mr. Prest seconded the motion. Mr. Manugian said that this study addressed numbers 2 and 3 in the Housing Production Plan but wasn't able to address regulatory and zoning constraints. He said that their zoning wasn't there adding they needed to look at density first. Manugian-no; Green-no; Prest-defer to Town Meeting; Colby-Support; Whitefield-Defer to Town Meeting; Linskey-Defer to Town Meeting; Robertson-support

The Select Board took the following position on this change: Pine-support; Reilly-Defer to Town Meeting; Manugian-no; Degen-no; Giger-support

The CPC left the meeting to reconvene at their separately posted meeting.

TOWN MANAGER REPORT CONT.

3. Mr. Haddad reviewed Article 6 – Capital Budget – Item #8 – Golf Carts – He said that after investigating the potential for moving to electric golf carts this summer at the Country Club, he was recommending a hybrid approach in which they purchase 21 gas powered carts and 4 electric carts. He said that this would allow them to determine the long-term viability and cost of moving to a total electric fleet and not require any additional capital expenses in FY 2022. He respectfully requested that the Board vote to approve this approach. The Capital Request of \$25,000 would not change.

Mr. Campbell said that an estimate received earlier that day showed a good trade in value with the current fleet adding the estimate came in just below \$25,000. Ms. Manugian said that they were at the same request but a different approach. Mr. Haddad said that they would not need to spend any additional money on infrastructure adding they had room in one of the garage bays to house the four electric carts. Ms. Pine asked if they would be locked into using the same supplier after 2 years. Mr. Campbell said that they could use another vendor after 2 years if they choose. Ms. Pine said that this approach was a good one. Ms. Manugian said she also would support this. Mr. Degen said that after 2 years, they could trade in the gas carts but said something about at a certain value. Mr. Campbell said he did not know what the trade in value would be after 2 years. Mr. Degen said he was at Town Meeting without that number. Mr. Haddad said that they would not know what the condition of the carts would be, what the usage was, etc. and could not know what that value was. Mr. Degen said he was a no. Mr. Giger said he felt much better about this hybrid approach after the information was provided by Mr. Campbell. He said that this was the best way to move forward as they moved toward the next round of cart replacement adding he would support this. Mr. Prest supported the plan but needed to understand the long-term capital costs. Mr. Robertson asked if there was Green Communities money or CPA funds available. Mr. Haddad said that Green Communities could not pay for carts and that the infrastructure being covered was unlikely. Mr. Robertson said that the Capital Planning Advisory Committee voted for this plan and therefore he would support this plan. Ms. Linskey said that this plan was what they asked for. Mr. Reilly said he liked where they were at with this compromise and supported this proposal.

Mr. Green moved that the Finance Committee recommend this to Town Meeting. Mr. Manugian seconded the motion. Roll Call: Whitefield-aye; Doody-aye; Linskey-aye; Prest-aye; Green-aye; Robertson-aye; Manugian-aye

The Select Board recommended to support this –with Pine, Manugian, Reilly and Giger in support and Degen not in support.

4. Mr. Haddad presented Article 11 – Extend Groton Center Sewer District – The Sewer Commission conducted a public hearing on this request and voted to recommend this Article to Town Meeting. The Select Board had originally deferred their position until such time as the Sewer Commission took a position. Degen-support; Pine-support; Manugian-at Town Meeting; Giger-support; Reilly-support
5. Mr. Haddad presented Article 12 – Grant Easement for Sewer Connection – 227 Boston Road – The Select Board had made no recommendation on this Article. He said he was still waiting for an appraisal from the proponent of the Article.

Mr. Lindemer said he spoke to the appraiser that afternoon and the appraisal should be completed by this weekend. The Board and Finance Committee remained where they were. Mr. Giger said he supported the easement.

6. Mr. Haddad presented Article 15 – Amend Zoning Bylaw – Clarifications – The Planning Board held the public hearing on this Article last Thursday. They had voted unanimously to recommend the Article. The Board unanimously supported this article.

Mr. Degen said he was in favor of the CPA application for pickleball courts. Mr. Giger also supported this article.

Mr. Degen said he would defer to Town Meeting on the golf carts.

Mr. Haddad asked the Board to vote to issue the warrant for Town Meeting.

Mr. Degen moved to authorize the Town Manager and his Assistant to issue the warrant for Town Meeting. Ms. Pine seconded the motion. Roll Call: Pine-aye; Degen-aye; Manugian-aye; Reilly-aye; Giger-aye

7. Mr. Haddad said that it was still unknown how much money was coming to Groton from the federal government as part of the latest stimulus package. He said that because there was no county government, more money was being dispersed to local towns and cities. He said that the estimates at this time were \$3.3M. He said that there were no criteria provided for use of this potential money. He said that the Schools would be looking for about \$700k from the Town again this time.
8. Mr. Haddad said they received the preliminary study on the sportsman club adding the contamination was substantial. He said that they were exploring their options and more information. He said he would provide the Board with an update as soon as he had one.

Mr. Robertson adjourned the Finance Committee meeting at 8:52pm.

9. Mr. Haddad said that The Centers for Disease Control and the Commonwealth of Massachusetts had revised their COVID-19 protocols with regard to travel. He said that based on this, he and the Fire Chief had revised their Infectious Disease Policy by amending the vaccination section to read as follows:

Employees that have received their full dosing of a COVID-19 vaccine shall be able to return to work immediately upon return from any travel. They will be required to self-monitor for a period of ten (10) days.

If you travel to any foreign country or restricted state and you are not fully vaccinated...

Mr. Haddad respectfully request that the Board vote to adopt the amended policy.

Mr. Degen moved that they adopt the policy as amended. Ms. Pine seconded the motion. Roll Call: Pine-aye; Degen-aye; Manugian-aye; Reilly-aye; Giger-aye

10. Mr. Haddad said that Groton remained a yellow community and were trending higher for the 4th week. He said that they would still keep the Town Hall closed.

11. *Ms. Pine moved to issue the proposed RFP for Town Counsel services. Mr. Degen seconded the motion.*

Mr. Degen suggested the term be a one-year term for up to 2 one-year renewals. Mr. Haddad said that this was the way in which they handled switching to Brooks and DeRensis a few years ago. He said his only concern was people may not come forward if it was a year-to-year contract. Ms. Manugian said that they had the right to separate. She said that a longer time period in play, everyone had to put more effort forward and more consistency. Ms. Pine said that if they could opt out, she was okay with a three year.

Roll Call: Pine-aye; Degen-aye; Manugian-aye; Reilly-aye; Giger-aye

12. Mr. Haddad said that the Board at their March 29th Meeting, Treasurer-in-Training Hannah Moller requested that the Board consider adopting M.G.L., c.59, §5N, which provided for a reduction of property tax obligation of Veterans in exchange for volunteer service. He said that this program is similar to the Senior Work-off Program that they currently offered. He respectfully requested that the Board vote to adopt this law and set the maximum property tax reduction at \$1,500 based on minimum wage.

Mr. Reilly moved to adopt MGL c.59 section 5N ad described. Ms. Pine seconded the motion. Roll Call: Pine-aye; Degen-aye; Manugian-aye; Reilly-aye; Giger-aye

13. Mr. Haddad said that at their meeting on March 29th, the Select Board rightly questioned how the recent “Opt-Out” of the State Reclamation and Mosquito Control Board would impact the Town. He said he mistakenly believed that this did not impact Groton, as they were not part of any mosquito control project. Mr. Haddad said that at the request of the Select Board, he reached out to Town Counsel and asked for his opinion on how this would impact Groton. The “Opt-Out” was from the State spraying the Town of Groton should the State Department of Public Health determine there is an elevated risk of arbovirus such as Eastern Equine Encephalitis (EEE) for that year.

Mr. Haddad said that the Select Board would have to vote, after receiving input from the Board of Health, on whether or not they wish to “Opt-Out”. Should the Board vote to “Opt-Out”, they would have to supply the State with an alternative plan to deal with mosquitos that would have to be approved by the State. Mr. Haddad said he had reached out to the Board of Health and they provided the following recommendation to the Board:

“The Board of Health voted unanimously to advise the Select Board that the Board of Health would strongly recommend opting out of the State Reclamation and Mosquito Control Board. At the same time the Board of Health also recognizes that the level of effort in choosing to opt out is uncertain and would ask that if determined impractical for this current period then the Board of Health would strongly recommend applying ourselves towards this same goal for next year. The Board of Health fully appreciates that the MA Department of Public Health would commend spraying in the event of an emergency. Ira Grossman will work with other departments to complete next steps required should the Select Board vote to opt out. The Board of Health understands that the Select Board makes the final decision with regard to whether or not to opt out.”

Mr. Haddad said that while he appreciated the Board of Health’s position, they did not have the manpower, equipment or budget to implement an alternative plan. He said that the only way to do this would be to join the Central Mass Mosquito Control Project, which would cost them over \$78,000 a year and they would spray for mosquitos annually. Mr. Haddad said that given their budget situation, he could not recommend taking this on when the state would spray only if there was an elevated risk of EEE or West Nile Virus and recommend that the Town not opt out of the State Reclamation and Mosquito Control Board.

Ms. Pine said there were concerned people out there about having their properties sprayed. She said that people could fill out a form with the State to not have their property sprayed. Ms. Pine suggested asking the Board of Health to take a lead on developing a plan that would be cost effective over the next year. Mr. Degen said he agreed with this decision after hearing the explanation. The Board agreed to not opt out.

14. Mr. Haddad said he needed the Select Board to meet next Tuesday at 10am with the Planning Board to fill a vacancy. Mr. Haddad said that they wanted to have a full Board as they began the Hayes Wood subdivision. Ms. Pine said she was available. Mr. Giger was available. Mr. Degen was available. Mr. Reilly and Ms. Manugian were available also.

OTHER BUSINESS

Mr. Degen said it was his understanding that the forum with Representative Harrington had not been able to be coordinated at this time. He said that they needed to understand what was going on at the State level and have their questions and concerns answered. Ms. Manugian said that Senator Kennedy was eager to set this date and that she had not heard back from Representative Harrington after numerous attempts.

MINUTES

Mr. Degen moved to approve the meeting minutes of March 29, 2021 as presented. Ms. Pine seconded the motion. Roll Call: Degen-aye; Pine-aye; Giger-aye; Reilly-aye; Manugian-aye

Ms. Manugian adjourned the meeting at 9:16pm and asked for a motion to enter Executive Session Pursuant to M.G.L., c. 30A, §21(a), Clause 3 – “To Discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and chair so declares.” – PURPOSE – ABCC Appeal by Kent Ventures and with no intent to return to Open Session. Ms. Pine made the motion. Ms. Manugian seconded the motion. Roll Call: Pine-aye; Degen-aye; Manugian-aye; Reilly-aye; Giger-aye

Approved: _____
Rebecca H. Pine, Clerk

_____ respectfully submitted:
Dawn Dunbar, Executive Assistant

Date Approved: