

Select Board Meeting Packet

January 13, 2020

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



TOWN OF GROTON

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

Select Board

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

Town Manager
Mark W. Haddad

**SELECT BOARD MEETING
MONDAY, JANUARY 13, 2020
AGENDA
SELECT BOARD MEETING ROOM
2nd FLOOR
GROTON TOWN HALL**

6:00 P.M. Announcements and Review Agenda for the Public

6:05 P.M. Public Comment Period

I. 6:10 P.M. Town Manager's Report

1. Select Board's Agenda Schedule
2. Discussion with Town Clerk – Determine Polling Locations
3. Consider Approving Amendment to Committee on Vacancy Policy
4. Proposal from Town Manager – Review/Consider Building Commissioner Succession Plan
5. Review Select Board Schedule for the Next Three Months
6. Call for the 2020 Spring Town Meeting
7. FY 2021 Budget Update

II. 6:15 P.M. Continuation of Public Hearing – Blood Farm Earth Removal Permit Renewal

OTHER BUSINESS

ON-GOING ISSUES – For Review and Informational Purposes

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

SELECT BOARD LIAISON REPORTS

III. Minutes: Regularly Scheduled Meeting of January 6, 2020

IV. Executive Session – Pursuant to M.G.L. c. 30A, §21(a)(3) – “To conduct 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 the Chair so declares.” – Purpose – DEP Consent Order

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: *January 13, 2020*

1. Please note that Monday's meeting will begin at 6:00 p.m. In addition to the Town Manager's Report and a review of the on-going issues, there are two items scheduled on Monday's Agenda. First, we will continue the Public Hearing on the renewal of the Blood Farm Earth Removal Permit. Enclosed with this report is a recommendation from the Earth Removal/Stormwater Management Committee. Second, at the conclusion of the Open Session part of the meeting, we will enter Executive Session (and not return to open session) with the Water Commission and Town Counsel to discuss the proposed Consent Order from the Department of Environmental Protection on the manganese issue. Also enclosed with this report is a copy of the proposed Consent Order.
2. Town Clerk Michael Bouchard will be in attendance at Monday's meeting to discuss Polling Locations. As you know, voting in Precinct 1 was moved to Town Hall during the Senior Center Construction Project. Now that the Center is open, the Board needs to notify the Town Clerk if it is your intention to return voting in Precinct 1 to the new Center. The Town Clerk and I have been talking about polling locations and some complaints we have received from our voters. We are recommending that Precinct 1 vote at the Center in West Groton, Precinct 2 vote at the Country Club and Precinct 3 vote at Town Hall. Enclosed with this report are various documents to assist you in making a decision. We look forward to discussing this with the Board in more detail at Monday's meeting.
3. I worked with Select Board Member Pine on revising the Committee Vacancy Policy to address the issue of interviewing candidates should the Board decide not to accept the recommendation from a particular committee. Essentially, the Policy has been amended to require the Board to schedule the interviews at the next regularly scheduled meeting when all candidate(s) are available to be interviewed. Enclosed with this report is the red-lined revised Policy for your review. I would respectfully request that the Board consider adopting this revised Policy at Monday's meeting.

**Select Board
Weekly Report
January 13, 2020
page two**

4. As you know, Building Commissioner Ed Cataldo has notified me of his intention to retire on September 8, 2020. Filling this vital position is a top priority and I want to make sure we get the best possible candidate. I have been watching similar vacancies in other neighboring towns and finding a competent Building Commissioner is a difficult proposition. To that end, to fill this position, I would like to follow the same process I used when I appointed Patricia DuFresne as the Town Accountant. We instituted an internal process and after an internal posting and interviews, we appointed Patricia as the Accountant-In-Training who worked under Valerie Jenkins for two years. When Valerie retired, Patricia stepped right in as the Town Accountant and the transition was seamless. To fill the Building Commissioner position, I would like to post the position internally and consider appointing a current employee as the Building Commissioner-In-Training. To apply, the applicant would need to be certified as a Local Inspector. We currently have two employees who would meet this requirement. This person would work under Ed for six months (I am hoping for a March 1st starting date) and work towards being certified as a Building Commissioner during this period and take over as Building Commissioner when Ed retires in September. I anticipate the cost of this training program would be \$40,000 (six-month salary). I look forward to discussing this proposal in more detail with the Board at Monday's meeting.

5. In keeping with the Select Board Annual Goal to provide three months' worth of meeting schedules in advance, I would like to offer the following schedule for your review (obviously this is subject to change and updates):

Monday, January 13, 2020 -	(Agenda already posted)
Monday, January 20, 2020 -	No Meeting – Martin Luther King Holiday
Monday, January 27, 2020 -	First Discussion on continuing with CPA Assessor Presentation on Tax Exemptions Available FY 2020 Third Quarter Financial Update Executive Session Minute Review Taste of Nashoba One Day Liquor License Approval FY 21 Budget Update
Monday, February 3, 2020 -	Continue Review of Remaining Policies Review First Draft of Housing Production Plan FY 21 Budget Update
Monday, February 10, 2020 -	Executive Session – Boynton Meadows FY 21 Budget Update
Monday, February 17, 2020 -	No Meeting – Presidents Day Holiday
Monday, February 24, 2020	Green Communities Grant Review and Project Discussion FY 21 Budget Update

Continued on next page – Over >



TOWN OF GROTON

173 Main Street
Groton, Massachusetts 01450
(978) 448-1105
Fax: (978) 448-1113

Office of the
LAND USE DEPARTMENTS

MEMORANDUM

DATE: January 10, 2020

TO: Select Board

FROM: Michelle Collette, Earth Removal/Stormwater Inspector *mcc*

RE: Earth Removal Permit – Richard Blood, 94 West Main Street
Assessor's Map 106, Parcel 15

The Earth Removal Advisory Stormwater Committee met on January 7, 2020 and voted unanimously to recommend that the Select Board renew the Earth Removal Permit granted to Richard Blood under the provisions of the Chapter 134 Earth Removal, Section 134-3B Existing Operations. The permit should include the standard conditions as outlined in the attached "Guidelines for Earth Removal Activities Under the Earth Removal By-law, Section IIIA – Existing Operations," adopted by the Board of Selectmen on March 16, 1987.

It should be noted that there has been very little excavation at the site in recent years. Only a modest amount of material is removed from time to time. We have not received any concerns or complaints from abutters or the general public.

**GUIDELINES FOR EARTH REMOVAL ACTIVITIES
UNDER THE EARTH REMOVAL BYLAW
SECTION IIIA – EXISTING OPERATION**

Adopted by the Board of Selectmen, March 16, 1987

- 1) No excavation or grading shall result in an accumulation of freestanding water.
- 2) All finished slopes at less than 30 gradient.
- 3) Earth removal operations shall be conducted only between the hours of 7:00 a.m. and 5:00 p.m., Monday through Friday, and loaded trucks will be permitted to depart from the site only within such hours as the Board of Selectmen may from time to time prescribe in the interests of public safety.
- 4) All trucks and trailers will be suitably covered to prevent their contents from falling upon streets or highways. All stones, sand, gravel or other material resulting from the removal operation shall be removed from the traveled part of the highway at the close of each day's operation or sooner if a dangerous condition arises during the day's operation.
- 5) A sufficient quantity of topsoil shall be stockpiled for landscaping or restoration to a minimum depth of four inches or another depth as determined in consultation with Earth Removal Inspector and Earth Removal Advisory Committee.
- 6) The Selectmen or their agent shall be free to inspect the site as determined necessary.
- 7) Any excavation within 100 feet of wetlands requires notification to Groton Conservation Commission for a Determination of Applicability.
- 8) All trees, stumps, and boulders removed shall be taken off site and not buried.
- 9) No explosives are to be used.
- 10) All excavated areas shall be landscaped or restored to prevent erosion.
- 11) Permanent drainage shall be provided so that there is no net increase in runoff to adjacent lands or water bodies.

**Select Board
Weekly Report
January 13, 2020
page three**

5. Continued:

Monday, March 2, 2020 -	Review of First Draft of 2020 Town Meeting Warrant Continue Review of Housing Production Plan FY 21 Budget Update
Monday, March 9, 2020 -	Continue Discussion on Future of CPA Continue Review of Draft 2020 Town Meeting Warrant FY 21 Budget Update
Monday, March 16, 2020 -	Public Hearing on the 2020 Town Meeting Warrant Articles
Monday, March 23, 2020 -	Follow-up on Town Meeting Warrant FY 21 Budget Update
Monday, March 30, 2020 -	No Meeting – Potential Break
Monday, April 6, 2020 -	Finalize Town Meeting Warrant for Posting FY 21 Budget Update
Monday, April 13, 2020 -	Town Meeting Preparation Issuance of Annual Fuel Storage Licenses
Monday, April 20, 2020 -	No Meeting – Patriot's Day Holiday
Monday, April 27, 2020 -	2020 Spring Town Meeting

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

5. It is that time of the year for the Select Board to call for the 2020 Spring Town Meeting. Enclosed with this report is the Draft notice and schedule for the meeting. I would respectfully request that the Board call for the meeting to be held on Monday, April 27, 2020 and officially open the Warrant for the meeting. I am recommending that the Warrant close at the close of business on Friday, February 21, 2020.
6. As is our practice during budget season, I have set aside time on the Agenda to update the Board on the FY 201 Budget. I will provide the Board with any necessary update at the meeting.

MWH/rjb

POLLING LOCATION DISCUSSION

- **2020 Elections**

- March 3 Presidential Primary Historical Turnout: 51% (2016)
 - Early Voting February 24-28
- May 19 Annual Town Election Historical Turnout: 20-25%
- September 1 State Primary Historical Turnout: 15-20%
- November 3 Presidential Election Historical Turnout: 81%
 - Early Voting October 19-30

- **Proposal**

The reopening of The Center offers an opportunity to realign voting locations

- Change polling location for Precinct 1 to The Center (from Town Hall)
- Change polling location for Precinct 3 to Town Hall (from the Country Club)
- Retain the Country Club as the Precinct 2 polling location
- Use Town Hall for Early Voting

- **Select Board Authority**

- MGL 54:24 – the Select Board shall designate polling locations for each voting precinct at least 20 days before any election.

- **Reasons for this Proposal**

- The Center is now re-opened and can accommodate voting for one Precinct
 - Not enough parking for two precincts
- Country Club parking for two precincts for voting in busier elections is inadequate
- Use of Town Hall will help alleviate the Country Club parking congestion; Convenient to Precinct 3

- **Voters**

- Parking is a frequent complaint with voting at the Country Club
- The walk from the parking lot to the polls is also a frequent complaint (uphill, upstairs)
- Mitigation
 - Early Voting (when available)
 - Absentee Voting
 - Difficulty with Country Club walk qualifies for Absentee Voting
 - Ease parking pressure – add third location

- **Parking Analysis** (please see Parking Requirements Analysis chart))

- **Costs involved with changing / adding a voting location**
 - (Location change) Legal notification of affected voting households by mail
 - Postcard service - approximately \$700/precinct
 - (location upgrade) Town Hall lighting – floodlights?
 - (new location) AutoMark accessible voting machine
 - Free machine; Town pays for programming costs (<\$500 per election)
 - (new location) Additional police officers

- **Proposed Implementation Plan**
 - Select Board Designation January 13
 - Town Clerk
 - Notify State Elections January 14
 - Publicize Starting January 14
 - Press releases, town hall notices, web site, else?
 - Mailing to affected voter households (P1 and P3) by January 31
 - Postings by January 31
 - Notify Boards and Committees of Town Hall room use by January 31

Voter Parking Requirements Analysis												
Recent Elections History						Precinct Parking Analysis *				Available Parking		
Election	Election Type	Total Turnout (incl. Early Voters)	Early Voter %	Voters at Polls (net of Early Voters)	Average Voters per hour*	Average Voters per Precinct per hour*	Precinct Simultaneous Voters (15 min. avg)*	Election Staff parking	Required Parking per Precinct	70	90	Street
										The Groton Center	Country Club	Town Hall
										Facility used in this election		
May 21, 2019	Town Election	19%	n/a	1573	121	40	10	7	17	No	Yes	Yes
November 6, 2018	State Election	70%	32%	3969	305	102	25	7	32	No	Yes	Yes
September 4, 2018	State Primary	30%	n/a	2430	187	62	16	7	23	No	Yes	Yes
May 22, 2018	Town Election	20%	n/a	1626	125	42	10	7	17	Yes	Yes	No
May 16, 2017	Town Election	21%	n/a	1701	131	44	11	7	18	Yes	Yes	No
November 8, 2016	Presidential Election	81%	37%	4292	330	110	28	9	37	Yes	Yes	No
March 1, 2016	Presidential Primary	51%	n/a	4025	310	103	26	7	33	Yes	Yes	No
Theoretical 50% turnout election with 35% early voting		50%	35%	2665	205	68	17	9	26			

Chart Notes:

- * Assumes even turnout across precincts
- * Ignores peak voting times (early morning, lunch, early evening); assumes an even arrival distribution
- * Ignores campaign/sign holder, Public House parking requirements
- * Country Club has lost a few spaces due to relocation of dumpsters (as was requested)



SELECT BOARD POLICY

Policy Category:	Board
Policy Number:	BOA – 2019 - 3
Latest Revision Date:	November 7, 2019 <u>January 6, 2020</u>

POLICY NAME: COMMITTEE VACANCY APPOINTMENT POLICY

I. PURPOSE AND SCOPE

The purpose of this policy is to establish a procedure in which vacancies on all Committees appointed by the Select Board and Town Manager are advertised and filled.

II. POLICY

1. When a vacancy occurs on a Committee, the Chair shall notify the Select Board / Town Manager's Office and Town Clerk of that vacancy.
2. The Select Board / Town Manager's Office shall advertise the vacancy, along with a description of the Committee's duties as outlined in the Committee's Charge, for a period of 3 weeks. A notice of the vacancy shall be posted on the Town of Groton's website, and distributed to all local media outlets.
3. Applicants shall submit a Committee Interest Form to the Select Board / Town Manager's Office which upon receipt will be forwarded to the Committee for review. A recommendation shall be made to the Select Board / Town Manager's Office by the Committee within 3 weeks of the application deadline. The applications of all candidates to vacancies shall be treated equally during the recommendation process.
4. Appointment Process
 - a. Select Board Appointed Committee: Once a recommendation has been made to the Select Board, the Board may choose to take the recommendation of the Committee and vote to make the appointment at a public meeting of the Board, or choose to interview the candidates themselves. Should the Board decide to interview the Candidate(s), they shall schedule the interview(s) for the next regularly scheduled meeting that all the candidates can attend. All interviews will be done at an open meeting of the Select Board at which time a vote will also be taken.



SELECT BOARD POLICY

- b. Town Manager Appointed Committee: Once a recommendation has been made to the Town Manager, the Town Manager may choose to take the recommendation of the Committee and request that the Select Board ratify the appointment or choose to interview the candidates himself/herself. If the Town Manager does not take the recommendation of the Committee, he/she shall notify the Committee Chairman that he has decided to appoint another candidate. Ratification of the appointment shall be done in an open meeting of the Select Board.

5. Annual Reappointments

- a. In May of each year, the Town Manager's Office shall notify all employees and committee members that their term is expiring and ask them whether or not they would like to be reappointed. Vacancies caused by a member asking not to be reappointed shall be filled as outlined under Items 1, 2, 3 and 4 of this policy.
- b. Members wishing to be reappointed shall be brought forward to the Select Board for reappointment or ratification of the Town Manager's Appointment. Members of the Board who do wish to not reappoint any individual on the list, shall notify the Town Manager to remove said name from the list for separate consideration. Said individual shall be contacted directly by the Board member objecting to said reappointment. Should the individual wish to continue to be considered for reappointment the matter shall be discussed in open meeting as a standalone appointment during the overall reappointment considerations.



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Town Manager
Mark W. Haddad

To: *All Departments, Boards, Committees and Commissions*

From: *Mark W. Haddad – Town Manager*

Subject: *Spring Town Meeting – April 27, 2020*

Date: *January 14, 2020*

Please be advised that at the regularly scheduled meeting of the Select Board held on Monday, January 13, 2020, the Board voted to open the Warrant for the 2020 Spring Town Meeting. The Warrant will close at the close of business on Friday, February 21, 2020.

All articles should be submitted in writing to the Select Board as soon as possible to allow for as much time as possible for legal and financial review. All articles should be submitted with a written summary. These summaries will be included in the Spring Town Meeting Warrant so they must be submitted with the proposed Article. The following is the proposed timeline:

Tuesday, January 14, 2020 -	Warrant for 2020 Spring Town Meeting Opens
Friday, February 21, 2020 -	Warrant for 2020 Spring Town Meeting Closes
Monday, March 2, 2020 -	Select Board conduct first review of Articles
Monday, March 16, 2020 -	SB – FINCOM Public Hearing on Articles
Monday, April 6, 2020 -	Select Board Finalize Warrant
Friday, April 10, 2020 -	Post Warrant
Monday, April 27, 2020 -	Spring Town Meeting

As has been the case in the past, please plan on attending any meeting of the Select Board in which they review an article you have submitted. I will provide all Departments, Boards, Committees and Commissions with a schedule once it is developed.

Thank you for your attention to this matter. Please feel free to contact me with any additional questions or concerns.

MWH/rjb

cc: Select Board
Finance Committee
Michael Bouchard – Town Clerk
Jason Kauppi – Town Moderator
Paul DeRensis – Town Counsel

**COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

In the matter of:

Town of Groton

Enforcement Document Number:

ACO-CE-20-5D00008483

Issuing Bureau: BWR

Issuing Region/Office: CERO

Issuing Program: DWP

Primary Program Cited: DWP

Program ID # 2115000

ADMINISTRATIVE CONSENT ORDER

I. THE PARTIES

1. The Department of Environmental Protection ("Department" or "MassDEP") is a duly constituted agency of the Commonwealth of Massachusetts established pursuant to M.G.L. c. 21A, § 7. MassDEP maintains its principal office at One Winter Street, Boston, Massachusetts 02108, and its Central Regional Office at 8 New Bond Street, Worcester, MA 01606.
2. Town of Groton ("Respondent") is a municipality with its principal offices located at 173 Main Street, Groton, MA 01450. Respondent's mailing address for purposes of this Consent Order is 173 Main Street, Groton, MA 01450.

II. STATEMENT OF FACTS AND LAW

3. MassDEP has primary enforcement responsibility for the requirements of the Federal Safe Drinking Water Act, 42 U.S.C. §300f et seq. and the regulations promulgated there under. MassDEP implements and enforces statutes and regulations of the Commonwealth of Massachusetts for the protection of the public drinking water supply, including, without limitation, M.G.L. c. 111, §5G and §160 and the Drinking Water Regulations at 310 CMR 22.00; the Cross Connections, Distribution System Protection Regulations at 310 CMR 22.22; and the Underground Injection Control Regulations at 310 CMR 27.00. MassDEP, pursuant to M.G.L. c. 111, §160, may issue such orders as it deems necessary to ensure the delivery of fit and pure drinking water by public water systems to all consumers. MassDEP, pursuant to M.G.L. c. 111, §5G, may require by order the provision and operation of such treatment facilities as it deems necessary to ensure the delivery of a safe water supply to all consumers.

MassDEP's Drinking Water Regulations at 310 CMR 22.02 define a public water system as a system for the provision to the public of water for human consumption, through pipes or other constructed conveyances, if such system has at least 15 service connections or regularly serves

an average of at least 25 individuals daily at least 60 days of the year. 310 CMR 22.02 also defines a supplier of water as “any person who owns or operates a public water system.” MassDEP has authority under M.G.L. c. 21A, § 16 and the Administrative Penalty Regulations at 310 CMR 5.00 to assess civil administrative penalties to persons in noncompliance with the laws and regulations set forth above.

4. Respondent, a supplier of water, owns and operates a Community Public Water System (“PWS”), referred to as the Groton Water Department (“GWD”) serving a population of 5,529 persons per day from a three gravel packed wells (Baddacook Pond Well - “Well 02G”, Whitney Pond Well #1 – “Well 03G” and Whitney Pond Well #2 – “Well 04G”) under identification number PWS ID# 2115000.

5. The following facts and allegations have led MassDEP to issue this Consent Order:

- A. In October 2013, MassDEP’s Office of Research and Standards established health advisory guidelines for manganese in Massachusetts drinking waters (ORSG). The ORSG includes a lifetime health advisory value of 0.3 mg/L to protect against concerns of potential neurological effects and a 10-day health advisory of 1 mg/L for acute exposure. MassDEP recommends that infants up to 1 year of age should not be given water with manganese concentrations greater than 0.3 mg/L for more than a total of 10 days in a year, nor should the water be used to make formula for more than a total of 10 days in a year.
- B. On February 25, 2019, MassDEP issued a letter to Respondent informing it of manganese levels in Respondent’s water above the health advisory limit of 0.3 mg/l and requiring a public notice and submittal of a corrective action plan (CAP) by September 1, 2019 and a final plan by February 1, 2020.
- C. On August 15, 2019, Respondent submitted a proposed manganese compliance plan involving the Baddacook Pond Water Filtration Plant and requested a technical assistance meeting with MassDEP.
- D. On September 25, 2019, MassDEP met with Respondent to discuss the submitted compliance plan.

III. DISPOSITION AND ORDER

For the reasons set forth above, MassDEP hereby issues, and Respondent hereby consents to, this Order:

6. The parties have agreed to enter into this Consent Order because they agree that it is in their own interests, and in the public interest, to proceed promptly with the actions called for herein rather than to expend additional time and resources litigating the matters set forth above. Respondent enters into this Consent Order without admitting or denying the facts or allegations

Page 3 of 7

set forth herein. However, Respondent agrees not to contest such facts and allegations for purposes of the issuance or enforcement of this Consent Order.

7. MassDEP's authority to issue this Consent Order is conferred by the statutes and regulations cited in Part II of this Consent Order.

8. Respondent shall perform the following actions:

- A. On or before March 31, 2020, submit to MassDEP a BRP WS21 Approval to Conduct Pilot Study permit application to evaluate treatment for iron and manganese at Well-03G and Well-04G ("the Whitney Wells").
- B. On or before December 31, 2020, submit to MassDEP a BRP WS22 Approval of Pilot Study permit application with conceptual design for a water treatment plant to address the elevated iron and manganese at the Whitney Wells.
- C. On or before September 30, 2021, submit to MassDEP a BRP WS25 Modification of Treatment Facility permit application to make modifications to the Baddacook WTP to address the elevated iron and manganese at the Whitney Wells.
- D. On or before March 31, 2023, submit confirmation to MassDEP that construction of the MassDEP approved water treatment plant improvements at the Baddacook WTP has commenced.
- E. On or before December 31, 2024, submit confirmation to MassDEP that the modified Baddacook WTP for iron and manganese removal at the Whitney Wells is complete and in operation.
- F. Until manganese levels are below the ORSG at all entry points to the distribution system, Respondent shall continue to provide public notice in accordance with 310 CMR 22.16 and 22.16A, about the elevated levels of manganese consumers and new billing units.

9. Unless submitted via eDEP or except as otherwise provided herein, all notices, submittals and other communications required by this Consent Order shall be directed to:

Robert Bostwick, Drinking Water Section Chief
MassDEP
8 New Bond Street
Worcester, MA 01606

Such notices, submittals and other communications shall be considered delivered by Respondent upon receipt by MassDEP.

10. Actions required by this Consent Order shall be taken in accordance with all applicable federal, state, and local laws, regulations and approvals. This Consent Order shall not be construed as, nor operate as, relieving Respondent or any other person of the necessity of complying with all applicable federal, state, and local laws, regulations and approvals.

11. Force Majeure - General

- A. MassDEP agrees to extend the time for performance of any requirement of this Consent Order if MassDEP determines that such failure to perform is caused by a Force Majeure event. The failure to perform a requirement of this Consent Order shall be considered to have been caused by a Force Majeure event if the following criteria are met: (1) an event delays performance of a requirement of this Consent Order beyond the deadline established herein; (2) such event is beyond the control and without the fault of Respondent and Respondent's employees, agents, consultants, and contractors; and (3) such delay could not have been prevented, avoided or minimized by the exercise of due care by Respondent or Respondent's employees, agents, consultants, and contractors.
- B. Financial inability and unanticipated or increased costs and expenses associated with the performance of any requirement of this Consent Order shall not be considered a Force Majeure Event.
- C. If any event occurs that delays or may delay the performance of any requirement of this Consent Order, Respondent shall immediately, but in no event later than 5 days after obtaining knowledge of such event, notify MassDEP in writing of such event. The notice shall describe in detail: (i) the reason for and the anticipated length of the delay or potential delay; (ii) the measures taken and to be taken to prevent, avoid, or minimize the delay or potential delay; and (iii) the timetable for taking such measures. If Respondent intends to attribute such delay or potential delay to a Force Majeure event, such notice shall also include the rationale for attributing such delay or potential delay to a Force Majeure event and shall include all available documentation supporting a claim of Force Majeure for the event. Failure to comply with the notice requirements set forth herein shall constitute a waiver of Respondent's right to request an extension based on the event.
- D. If MassDEP determines that Respondent's failure to perform a requirement of this Consent Order is caused by a Force Majeure event, and Respondent otherwise complies with the notice provisions set forth in paragraph C above, MassDEP agrees to extend in writing the time for performance of such requirement. The duration of this extension shall be equal to the period of time the failure to perform is caused by the Force Majeure event. No extension shall be provided for any period of time that Respondent's failure to perform could have been prevented, avoided or minimized by the exercise of due care. No penalties shall become due for Respondent's failure

to perform a requirement of this Consent Order during the extension of the time for performance resulting from a Force Majeure event.

- E. A delay in the performance of a requirement of this Consent Order caused by a Force Majeure event shall not, of itself, extend the time for performance of any other requirement of this Consent Order.

12. Respondent understands, and hereby waives, its right to an adjudicatory hearing before MassDEP on, and judicial review of, the issuance and terms of this Consent Order and to notice of any such rights of review. This waiver does not extend to any other order issued by the MassDEP.

13. This Consent Order may be modified only by written agreement of the parties hereto.

14. MassDEP hereby determines, and Respondent hereby agrees, that any deadlines set forth in this Consent Order constitute reasonable periods of time for Respondent to take the actions described.

15. The provisions of this Consent Order are severable, and if any provision of this Consent Order or the application thereof is held invalid, such invalidity shall not affect the validity of other provisions of this Consent Order, or the application of such other provisions, which can be given effect without the invalid provision or application, provided however, that MassDEP shall have the discretion to void this Consent Order in the event of any such invalidity.

16. Nothing in this Consent Order shall be construed or operate as barring, diminishing, adjudicating or in any way affecting (i) any legal or equitable right of MassDEP to issue any additional order or to seek any other relief with respect to the subject matter covered by this Consent Order, or (ii) any legal or equitable right of MassDEP to pursue any other claim, action, suit, cause of action, or demand which MassDEP may have with respect to the subject matter covered by this Consent Order, including, without limitation, any action to enforce this Consent Order in an administrative or judicial proceeding.

17. This Consent Order shall not be construed or operate as barring, diminishing, adjudicating, or in any way affecting, any legal or equitable right of MassDEP or Respondent with respect to any subject matter not covered by this Consent Order.

18. This Consent Order shall be binding upon Respondent and upon Respondent's employees, agents, contractors or consultants to violate this Consent Order. Until Respondent has fully complied with this Consent Order, Respondent shall provide a copy of this Consent Order to each successor or assignee at such time that any succession or assignment occurs.

19. If Respondent violates, any provision of the Consent Order, Respondent shall pay stipulated civil administrative penalties to the Commonwealth in the amount of \$1,000.00 per day for each day, or portion thereof, each such violation continues.

Stipulated civil administrative penalties shall begin to accrue on the day a violation occurs and shall continue to accrue until the day Respondent corrects the violation or completes performance, whichever is applicable. Stipulated civil administrative penalties shall accrue regardless of whether MassDEP has notified Respondent of a violation or act of noncompliance. All stipulated civil administrative penalties accruing under this Consent Order shall be paid within thirty (30) days of the date MassDEP issues Respondent a written demand for payment. If simultaneous violations occur, separate penalties shall accrue for separate violations of this Consent Order. The payment of stipulated civil administrative penalties shall not alter in any way Respondent's obligation to complete performance as required by this Consent Order. MassDEP reserves its right to elect to pursue alternative remedies and alternative civil and criminal penalties which may be available by reason of Respondent's failure to comply with the requirements of this Consent Order. In the event MassDEP collects alternative civil administrative penalties, Respondent shall not be required to pay stipulated civil administrative penalties pursuant to this Consent Order for the same violations.

Respondent reserves whatever rights it may have to contest MassDEP's determination that Respondent failed to comply with the Consent Order and/or to contest the accuracy of MassDEP's calculation of the amount of the stipulated civil administrative penalty. Upon exhaustion of such rights, if any, Respondent agrees to assent to the entry of a court judgment if such court judgment is necessary to execute a claim for stipulated penalties under this Consent Order.

20. Failure on the part of MassDEP to complain of any action or inaction on the part of Respondent shall not constitute a waiver by MassDEP of any of its rights under this Consent Order. Further, no waiver by MassDEP of any provision of this Consent Order shall be construed as a waiver of any other provision of this Consent Order.

21. Respondent agrees to provide MassDEP, and MassDEP's employees, representatives and contractors, access at all reasonable times to the PWS for purposes of conducting any activity related to its oversight of this Consent Order. Notwithstanding any provision of this Consent Order, MassDEP retains all of its access authorities and rights under applicable state and federal law.

22. The undersigned certify that they are full authorized to enter into the terms and conditions of this Consent Order and to legally bind the party on whose behalf they are signing this Consent Order.

23. This Consent Order shall become effective on the date that it is executed by MassDEP.

SPECIAL INSTRUCTIONS:

Your two **signed copies of the Administrative Consent Orders (ACO)** must be delivered, for execution (signature) by MassDEP, to the following address:

In the Matter of: Town of Groton
ACO-CE-20-5D00008483

Page 7 of 7

Robert A. Bostwick, Drinking Water Section Chief
MassDEP
8 New Bond Street
Worcester, Massachusetts 01606

MassDEP will return **one signed copy** of the ACO to you after MassDEP has signed, provided you have followed the above instructions.

Payment will be due, pursuant to the instructions outlined within the ACO after you receive your fully executed copy.

Please call Robert Bostwick at (508) 849-4036 if you have questions regarding payment and/or instructions.

Consented To:
TOWN OF GROTON

By: _____
[Print Name]
[Title]
[Address]
Federal Employer Identification No.:

Date:

Issued By:
MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: _____
Mary Jude Pigsley, Regional Director
Central Regional Office
8 New Bond Street
Worcester, MA 01606

Date: _____

**SELECT BOARD MEETING MINUTES
MONDAY, JANUARY 6, 2020
UN-APPROVED**

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

Also Present: Mark W. Haddad, Town Manager; Dawn Dunbar, Executive Assistant

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

Mr. Robertson called the Finance Committee to order at 7:00pm. Present were members Bud Robertson, Gary Green, Scott Whitefield, Colby Doody, David Manugian and Mary Linskey.

Michael Hartnett, Jonathan Greeno, Melisa Doig and Patricia Dufresne were present for the Finance Team.

ANNOUNCEMENTS

Mr. Giger said that the Christmas Tree Bonfire was scheduled for Friday, January 10th at 7pm at the Town Field.

TOWN MANAGER'S REPORT

1. Mr. Haddad said that he had sent out to the Select Board their proposed goals a few weeks ago adding he had received no changes. Ms. Pine said that she thought the Green Communities goal was still a goal. Mr. Haddad said that it was on their goals list that was still in effect until June 30.

Mr. Degen moved to approve the 6-month duration goals of the Select Board through June 30, 2020. Mr. Reilly seconded the motion. The motion carried unanimously.

2. Mr. Haddad said that Ms. Pine came forward today with 2 additions to the complaint portion of the Anti-Discrimination, Equal Employment Opportunity Policy to add the Town Manager under the jurisdiction of Select Board and the words, 'as appropriate', at the end of the same sentence.

Ms. Pine moved to approve the Standard of Conduct and Anti-Discrimination, Equal Employment Opportunity Policies with changes received today. Mr. Giger seconded the motion. The motion carried unanimously.

Mr. Haddad said that he had received positive feedback on the Select Board Operational Policy he and Mr. Giger worked on. Mr. Giger explained the intent behind what the Board had in front of them. Ms. Pine asked if the wording about the Chair not serving in that capacity for 2 consecutive years was something new or in the existing policy. Mr. Giger said that wording was in the previous policy.

Ms. Pine moved to approve the Select Board Operational Policy as presented. Mr. Reilly seconded the motion. The motion carried unanimously.

Ms. Pine said that the Board had questions about their Parks & Commons Policy and the process for naming them. She said that she received a very thorough and detailed list from the Park Commission. She suggested that they put this on an agenda for later in January to invite the Park Commission to work out the naming portion of the policy.

Mr. Haddad said that all policies would be added under eCode so that everyone had access to them.

BLOOD FARM EARTH REMOVAL PERMIT APPLICATION PUBLIC HEARING

Mr. Haddad asked the Board to open the public hearing on the Blood Farm Earth Removal Permit Application and read the public hearing notice into the record.

Ms. Pine moved to open the public hearing on the Blood Farm Earth Removal Permit Application. Mr. Degen seconded the motion. The motion carried unanimously.

Mr. Haddad asked the Board to continue the hearing January 13, 2020 at 6:15pm.

Mr. Degen moved to continue the hearing until Monday, January 13, 2020 at 6:15pm. Mr. Giger seconded the motion. The motion carried unanimously.

Mr. Degen left the meeting at 7:15pm.

TOWN MANAGER'S REPORT-CONT.

3. Ms. Laurie Smigelski introduced herself and explained the Hazel Grove Agricultural Association's (HGAA) summary application before the CPC. She said that a couple of older buildings on the property needed some work. She said that the request was for \$9,200. She explained the proposed work. She said that she was there to request a letter of support from the Select Board. Ms. Pine said she would like to see some more information about Hazel Grove Agricultural Association before she voted to support this request. Ms. Smigelski said that they had formed themselves as a 501(c)3 as of last year adding that the Fairgrounds had been used for years. Mr. Giger said he wholeheartedly supported this. He said that labor was being donated to support this adding it was important. He said that several things concerned him about public safety that should be attended to at these buildings. Mr. Reilly said he supported this also. Ms. Manugian said she did also. She asked when the project would be done. Ms. Smigelski said that the final application would need to be to the CPC with any letters of support by January 27th. Ms. Emma Newman, of the HGAA said that their website had a lot of information and explained some activities that Hazel Grove held. She said that they also submitted an annual report yearly. Mr. Giger said he wanted to see them not push this out adding it was pretty straightforward.

Mr. Giger moved to authorize the Town Manager to draft a letter of support for the HGAA CPC application. Mr. Reilly seconded the motion. The motion carried unanimously.

FY 2021 TOWN MANAGER'S PROPOSED OPERATING BUDGET PRESENTATION

Mr. Haddad said that this was the 12th budget he had put together for the Town of Groton. Mr. Haddad said that they had anticipated a deficit of \$500K when the working group met over the summer to delve into the upcoming FY numbers. He said that he was asked to provide 2 budgets; a level services budget and a balanced budget. He said that the FY20 budget was \$279,639 under the levy limit. He said that new growth was certified at \$28.3M adding that FY21 new growth was being estimated at \$15M. Mr. Greeno said that plans for new construction and additions to existing homes was not something they were anticipating. Mr. Greeno said that the only factor for the high new growth this year was because of the full measure and list that was done which generated about \$8M in additional growth.

Mr. Haddad said that they changed the way they looked at local estimated receipts based on the anticipated deficit. He said that they were using the 5-year average when looking at local receipts. He said that this resulted in an 8% increase in local receipts adding they included an increase of \$100K in meals and local room occupancy tax. Mr. Haddad explained three significant savings in FY20 that would not be repeated in FY21. Mr. Haddad said that the School Districts were in the process of developing their budgets adding that the school numbers were preliminary. He said that the GDRSD was estimating an assessment of \$1.6M or 7.78% for FY21. He explained how strong the collaboration was between the Town and the School District. Mr. Haddad said that the number of students enrolled at NVTHS decreased by 6 students adding that he was unable to reduce the assessment because of a couple of factors. He said that he had level funded this assessment.

Mr. Haddad reviewed revenue projections and the estimated levy.

Mr. Haddad said that there were no new service offerings in the level services budget and no reductions in personnel adding that expenses were examined in an effort to consolidate costs. He explained what performance incentives were calculated at and debt service. He said that the OPEB request was for \$177K. Mr. Haddad defined a major initiative; a new item in the budget this year. He said that 2 additional dispatchers had been requested at a cost of \$171,937 and that the hydrant rental fee of \$75K be reinstituted under major initiatives. He said that both were worthy of funding but could not be done under the

level services budget. Mr. Haddad said that the total increase to the municipal budget to provide level services was 3.05%, exclusive of debt service. He said that the level service budget showed a projected deficit of \$564,827.

Mr. Haddad said that the following reductions were made in budget #2 to cover the deficit:

- Reduce snow and ice by \$100K
- Eliminate Select Board minor capital of \$25,683
- Eliminate cyclical inspections of \$21,600
- Eliminate police and fire communications wages by \$150K and use grant income to cover the cost. Mr. Reilly pointed out that this was a one-time reduction. Mr. Haddad said that was correct.
- Eliminate water safety expenses by \$28,000 which would eliminate the lifeguards at Sargisson Beach.
- Eliminate weed management expenses of \$15,000 which would not allow for maintenance of weeds at Baddacook.
- Eliminate \$5K out of employee benefits

He said that the total municipal reduction was \$245,283. He said that the GDRSD assessment reduction was \$219,544 as part of the shared deficit. Mr. Robertson said that he was opposed to some of these reductions. Mr. Haddad said that should funding become available, he had proposed in his budget message a list of items to be restored. He reminded the Board and Finance Committee that should funds become available, 50% would go to the town and 50% to the schools.

Mr. Haddad reviewed a list of proposed capital items to be funded and the anticipated funding sources.

Mr. Robertson adjourned the Finance Committee at 8:30pm.

TOWN MANAGER'S REPORT - CONT.

4. Mr. Haddad said that the last item was whether the Board wanted separate goals for the Town Manager. Ms. Pine said it was a good idea to have some goals. She said that things had been going well adding these goals were nothing new. She said she talked with Mr. Haddad about these in advance. Ms. Pine read her proposed goals. Ms. Manugian said that number 5 was already on their goals list. Ms. Manugian said that at a higher level did they want to talk about adding separate goals. Ms. Pine said that separate goals were not decided on last year and inadvertently fell upon shared goals. Mr. Reilly said he didn't see #3 as a goal adding he didn't see any goals on this list. He said that they should be working on goals together. Mr. Giger said he was hung up on smart goals and wondered if they could be turned into smart goals. He said that #3 for instance was judgmental. He said he did believe there should be separate goals but that they needed to spend significant time discussing them. Ms. Manugian said that she would generally believe that there should be separate goals for the Town Manager but that most of Ms. Pine's were expectations that they already had. She said that goals needed to be measurable and tangible things. Mr. Haddad said he appreciated the goals that they wanted to discuss for him. He said he would like to continue on with the Boards goals for now and thought that come spring they could discuss future goals for him.

ON-GOING ISSUES

A: Mr. Haddad said that he was working on the final accounting for the Senior Center and would bring it to the Board at a future meeting.

C: Mr. Haddad said that they would be meeting with the Water Commission next Monday to discuss the draft Consent Order received.

D: Mr. Giger asked for an update in the next month on the MS4 permit process from the Earth Removal Stormwater Advisory Committee.

F: Mr. Haddad said that the Green Communities application was still being reviewed and suggestions had been made to get the Town to the 15% it needed to qualify.

H: Mr. Haddad said that the Library Roof was completed and would be bringing them a final accounting.

MINUTES

Ms. Pine moved to approve the meeting minutes of December 16, 2019 with one correction. Ms. Manugian seconded the motion. The motion carried unanimously.

Ms. Manugian adjourned the meeting at 9:14pm.

Approved: _____
John Reilly, Clerk

respectfully *submitted*:
Dawn Dunbar, Executive Assistant

Date Approved:



TOWN OF GROTON FISCAL YEAR 2021

TOWN MANAGER'S PROPOSED OPERATING BUDGET

1

PROCESS

- This is the twelfth Proposed Operating Budget that I have submitted as Groton's Town Manager.
- Budget Process for FY 2021 Budget is much different than in past years.
- FY 2020 Five Year Projection showed a major deficit in FY 2021.
- Select Board established a Working Group to begin addressing this anticipated deficit over the Summer of 2019.

2

PROCESS

- The Town Manager and School Superintendent developed three-year budget projections based on sound financial principals.
- The outcome of the Working Group anticipated a \$500,000 deficit in FY 2021.
- Based on this work, in compliance with our Charter and Financial Policies, the Finance Committee and Select Board set the following budget guidance for the Town Manager in developing the FY 2021 Proposed Budget:

3

PROCESS

- The Town Manager shall provide two budgets to the Finance Committee and the Select Board.
- The first budget shall be a level services budget that continues to provide the same services that the Town currently receives.
- The second budget shall be a balanced budget that does not require an override of Proposition 2½. Any deficit in the level services budget shall be offset by equal reductions to the Municipal Budget Request and Groton Dunstable Regional School District Operational Assessment Request.
- There shall be no new benefited positions proposed.

4

PROCESS

- Instructions were sent out to every Department requesting Budgets that maintained services at the current levels.
- The Finance Team would then develop the Level Services Budget (Budget #1) and determine if reductions in this budget needed to be made to balance the budget (Budget #2).
- To review the submittals and develop the two requested budgets, the Town Manager was assisted by the Town's Finance Team made up of Patricia DuFresne, Jonathan Greeno, Michael Hartnett, Melisa Doig and Dawn Dunbar. In addition, Town Clerk Michael Bouchard and members of the Select Board and Finance Committee attended several of the Departmental Review Sessions.

5

BUDGET DEVELOPMENT

- The Fiscal Year 2020 Approved Budget is \$279,639 under the Levy Limit.
- FY 2020 New Growth was certified at \$28.3 million, which added \$515,620 to the FY 2020 Levy Limit.
- After a thorough review of building permits issued and projects before the Planning Board, we have estimated Fiscal Year 2021 New Growth at \$15 million which will add \$260,700 to the FY 2021 Levy Limit.
- The Proposed Fiscal Year 2021 Town Operating Budget anticipates that State Aid will be level funded.

6

BUDGET DEVELOPMENT

- Different approach in the development of Local Estimated Receipts for FY 21 based on projected deficit.
- For the last eleven (11) years, we have used a conservative approach in developing these estimates, which has allowed us to maintain a AAA Bond Rating and maintain healthy reserves leading to a strong Free Cash position (funding capital for both Town and Schools).
- It was determined to use the Five-Year Average for most Receipts.
- This resulted in an eight (8%) percent increase, or an additional \$329,459, the largest projected increase in last eleven (11) years (this includes a \$100,000 increase in the Meals and Local Room Occupancy Tax).

7

BUDGET DEVELOPMENT

Estimated Receipts - FY 2016	\$	3,644,255
Estimated Receipts - FY 2017	\$	3,608,413
Dollar Change	\$	(35,842)
Percent Change		-0.98%
Estimated Receipts - FY 2018	\$	3,820,787
Dollar Change	\$	212,374
Percent Change		5.89%
Estimated Receipts - FY 2019	\$	3,993,241
Dollar Change	\$	172,454
Percent Change		4.51%
Estimated Receipts - FY 2020*	\$	4,120,480
Dollar Change	\$	127,239
Percent Change		3.19%
Estimated Receipts - FY 2021	\$	4,449,939
Dollar Change	\$	329,459
Percent Change		8.00%

**Certified Free Cash dropped from \$2,212,873 in FY 2019 to \$1,335,762 in FY 2020, a decrease of \$877,111 or 39.64%*

8

BUDGET DEVELOPMENT

- There were three significant savings that allowed us to come in under the levy limit in FY 2020 and maintain services that will not be repeated in FY 2021:
 - There was no Snow and Ice Deficit in FY 2020. We are anticipating a deficit of \$200,000 that will need to be raised in FY 2021.
 - In FY 2020, we concluded the negotiated Health Insurance cost share shift to 70 percent Town/30 percent employee and the early retirement assessment was paid off, saving the Town \$200,000 in pension costs. This allowed the Town to essentially level fund employee benefits in FY 2020. We are anticipating an increase of \$210,163 in FY 2021.
 - To assist the Town of Dunstable, the Groton Dunstable Regional School District used \$400,000 in Excess and Deficiency Funds to offset Operating Costs, saving the Town of Groton approximately \$300,000 in FY 2020. These funds may not be available in FY 2021 and will have to be made up in the Operating Assessment.

9

BUDGET DEVELOPMENT

- Both the Groton Dunstable Regional School Committee and Nashoba Regional Technical High School Committee have yet to complete their Budgets for FY 2021.
- Strong collaboration between the Town of Groton and the Groton Dunstable Regional School District continues as evidenced by the Working Group over the Summer.
- Based on this work, the School District estimates a needed increase in the Assessment of \$1,654,492, or 7.78% for their level services budget.

10

BUDGET DEVELOPMENT

- We have been informed that the number of Groton students attending Nashoba Tech has decreased by six, from 44 to 38.
- This has temporarily halted the trend of adding 12 to 13 new students per year.
- While we would ordinarily decrease the anticipated assessment from Nashoba Tech in the Proposed Budget, the Superintendent has informed me that we should not anticipate a decrease given the overall number of total students, as well as, increases in capital costs. We have therefore level funded the assessment in FY 2021 at \$728,802.
- The proposed budgets for both GDRSD and Nashoba Tech should be considered placeholders at this time.

11

REVENUE PROJECTIONS

TO CALCULATE THE FY 2021 LEVY LIMIT

• FY 2020 LEVY LIMIT	\$31,932,418
• ADD 2½ PERCENT	\$ 798,310
• ADD NEW GROWTH	\$ 260,700
• EXPECTED LEVY LIMIT	\$32,991,429

12

REVENUE PROJECTIONS

FY 2021 TOTAL TAX LEVY CALCULATION

• FY 2021 LEVY LIMIT	\$	32,991,429
• DEBT EXCLUSION – TOWN	\$	1,559,856
• FY 2021 BOND PROCEEDS	\$	(24,970)
• DEBT EXCLUSION – GDRSD	\$	648,497
• SUB-TOTAL – EXCLUSIONS	\$	2,183,383
• TOTAL TAX LEVY	\$	35,174,812

13

REVENUE PROJECTIONS

OTHER ESTIMATED REVENUES

• State Aid	\$	971,581
• Motor Vehicle Excise Taxes	\$	1,650,000
• General Revenues	\$	2,799,939
• Free Cash	\$	300,730
• Other Available Funds	\$	<u>300,000</u>
• TOTAL		\$6,022,250

14

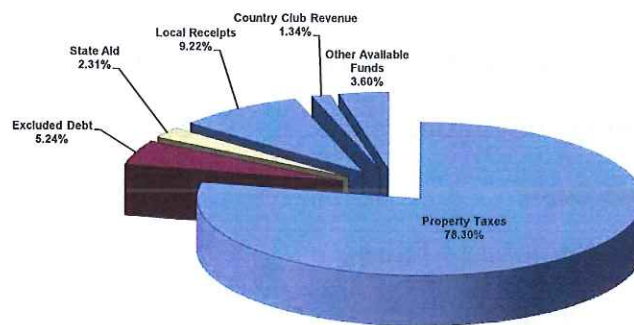
REVENUE PROJECTIONS

<u>Revenue Source</u>	<u>Actual FY 2020</u>	<u>Proposed FY 2021</u>	<u>Dollar Change</u>	<u>Percent Change</u>
Property Tax**	\$ 31,652,779	\$ 32,991,429	\$ 1,338,650	4.23%
State Aid	\$ 971,581	\$ 971,581	\$ -	0.00%
Local Receipts	\$ 4,120,480	\$ 4,449,939	\$ 329,459	8.00%
Enterprise Fund Reimbursement for Benefits	\$ 236,288	\$ 256,254	\$ 19,966	8.45%
Free Cash	\$ 300,857	\$ 300,730	\$ (127)	100.00%
Other Available Funds	\$ 300,000	\$ 300,000	\$ -	0.00%
TOTAL	\$ 37,581,985	\$ 39,269,933	\$ 1,687,948	4.49%

**Includes two and one-half percent increase allowed by law, \$15 million in new growth and \$279,639 in unexpended tax capacity

15

Sources of Revenue Fiscal Year 2021



16

BUDGET #1 SUMMARY

- There are no new service offerings proposed in the Fiscal Year 2021 Level Services Proposed Operating Budget.
- All current services are maintained as directed in the Budget Guidance.
- The Town has seven (7) Collective Bargaining Units. Fiscal Year 2021 will be the final year of three-year agreements with all seven (7) unions. Six (6) of the Union agreements call for Cost of Living Adjustments of two (2%) percent, while one Agreement (Communications Union) calls for an increase of one and three quarters (1.75%) percent.
- These Cost of Living Adjustments will cause Salaries and Wages to increase by \$133,032 in FY 2021.

17

BUDGET #1 SUMMARY

- The performance incentive program remains in effect for many of our union employees. As was the case last year, for the Supervisors Union, the incentive will be paid as a one-time cash bonus and will not be added to their base when calculating the FY 2022 Cost of Living Adjustment. The total amount of the Incentive Program for all Unions is \$71,265, of which \$28,422 is for Supervisor Incentives that will be paid out of Free Cash.
- There will be an increase in Excluded Debt Service in Fiscal Year 2021. The proposed budget carries the first-year full debt service for the DPW Garage and Library Roof Project. This has increased the Town's share of excluded debt by \$297,994 from \$1,261,862 to \$1,559,856, or 23.62%. To offset this increase, we are recommending using surplus bond proceeds from other projects totaling \$24,970 towards this Debt. Taking into consideration a decrease in GDRSD Debt, total Excluded Debt will increase in FY 2021 from \$2,070,421 to \$2,183,383 or \$112,962.
- We are proposing to permanently finance the Engine 3 purchase approved at the 2019 Spring Town Meeting. Debt Service within the Levy Limit will remain at approximately \$250,000 annually.

18

BUDGET #1 SUMMARY

- In Fiscal Year 2019, we generated a surplus of \$48,291 in Country Club Revenues. We anticipate a similar surplus in FY 2020. Based on these outcomes, we are expecting the Club to break even in FY 2021 when you take into consideration a request of \$50,000 in the Capital Budget to replace the Roof on the Function Hall.
- In compliance with the Financial Policies of the Town concerning Other Post Employment Benefits, we will continue to fund from Free Cash the amount necessary to prevent the net present value OPEB Liability from increasing. The FY 2021 Budget requests \$177,094 for this purpose.

19

BUDGET #1 SUMMARY

- **New Section of the Budget – Major Initiatives**
- A Major Initiative is defined as any proposed increase in the Operating Budget of \$50,000 or greater in any fiscal year, or \$100,000 over three years.
- There are two requests that meet this definition in FY 2021:
 - Two Additional Dispatchers (\$171,937 in FY 2021)
 - Reinstitute the Hydrant Rental Fee (\$75,000 in FY 2021)
- While both initiatives are worthy of funding, neither could be funded in FY 2021.

20

BUDGET #1 SUMMARY

- Under the Level Services Budget, all mandatory increases in expenses were covered (wages, pension, health insurance).
- There were no reductions in personnel and expenses were thoroughly examined in an effort to find ways to consolidate costs.
- The total increase in the municipal budget to provide level services (exclusive of debt service) is \$453,851, or 3.05%.
- Based on this and the proposed increase in the Groton Dunstable Regional School District Operating Assessment, the Level Services Budget (exclusive of debt service) increases by \$2,070,640, or 5.49%.
- Taking into consideration the projected Snow and Ice Deficit, this budget has a projected deficit of \$564,827.

21

BUDGET #1 SUMMARY

• ENTERPRISE FUND BUDGETS

• Water Department	\$1,388,916	15.17%
• Sewer Department	\$ 763,300	5.22%
• Four Corners Sewer District	\$ 32,805	59.11%
• Community Cable Department	\$ 214,804	- 0.91%
• TOTAL	\$2,399,825	10.65%

22

BUDGET #2 SUMMARY

- According to the Budget Guidance, the second budget (balanced budget) would require the Town Manager to reduce both the Municipal Budget and proposed Operating Assessment of the Groton Dunstable Regional School District by equal amounts.
- To meet the Guidance, the following reductions from the Level Services Budget are proposed:
 - 1. Reduce Projected Snow and Ice Deficit by \$100,000, thereby requiring a reduction of \$232,414 in both the Municipal Budget and Proposed Operating Assessment of the GDRSD
 - 2. Select Board Minor Capital – Eliminate \$25,683 for Town's Share of Pepperell Sewer Grant Upgrade.
 - 3. Board of Assessors Expenses – Eliminate \$21,600 for annual cyclical inspections (pay for this out of Overlay Surplus).
 - 4. Police and Fire Communications Wages – Eliminate \$150,000 in wages and use Grant Income to cover the cost.
 - 5. Water Safety Expenses – Eliminate \$28,000 in expenses and not fund lifeguards at Sargission Beach.
 - 6. Weed Management Expenses – Eliminate \$15,000 for maintenance of Baddacook Pond.
 - 7. Employee Benefits – Eliminate \$5,000 for Town's share of Medicare Costs.
 - 8. Groton Dunstable Regional School District Operating Assessment – Reduce anticipated increase by \$219,544.
- Total Municipal Reduction is \$245,283.

23

BUDGET #2 SUMMARY

- **Should funding become available, we are recommending that the Municipal Budget Line Items be restored as follows:**
 - **Priority #1 – Weed Management Expenses**
 - **Priority #2 – Water Safety Expenses**
 - **Priority #3 – Communications Budget Wages**
 - **Priority #4 – Select Board Minor Capital**
 - **Priority #5 – Employee Benefits – Medicare**
 - **Priority #6 – Board of Assessors Expenses**

24

CAPITAL BUDGET

<u>Department</u>	<u>Item</u>	<u>Amount</u>	<u>Funding Source</u>
Fire and EMS	Ambulance 2 Replacement	\$ 325,000	Ambulance Fund
Highway	Pick Up Truck	\$ 40,000	Capital Asset Fund
Highway	Dump Truck	\$ 40,000	Capital Asset Fund
Town Facilities	IT Infrastructure/Computer Replacement	\$ 40,000	Capital Asset Fund
Town Facilities	Municipal Building Exterior Repairs	\$ 25,000	Capital Asset Fund
Town Facilities	Paint Police Station/Roof Repairs	\$ 50,000	Capital Asset Fund
Town Facilities	Country Club Roof	\$ 50,000	Capital Asset Fund
Transfer Station	Tractor Trailer/Trash Unit	\$ 40,000	Capital Asset Fund
Library	Reconstruct Parking Lot	\$ 45,000	Capital Asset Fund
Park Department	Property Improvements	\$ 25,000	Capital Asset Fund
Police	Police Cruisers	\$ 56,570	Capital Asset Fund
Police	Police Pick-Up Truck	\$ 55,000	Capital Asset Fund
Country Club	Triplex - Greens Mower	\$ 5,100	Capital Asset Fund
Water	Water Meter Replacement Program	\$ 50,000	Water Revenue
Sewer	Wastewater Treatment Plant Upgrades	\$ 1,250,000	Sewer Revenue
GDRSD	Annual Regional School Capital	\$ 442,859	GDRSD Capital Fund
Total Requested		\$ 2,539,529	

25

CAPITAL BUDGET

Funding Sources

Capital Asset Fund	\$ 471,670
Ambulance Fund	\$ 325,000
Water Revenue	\$ 50,000
Sewer Revenue	\$ 1,250,000
GDRSD Capital Fund	\$ 442,859
Total	\$ 2,539,529

26

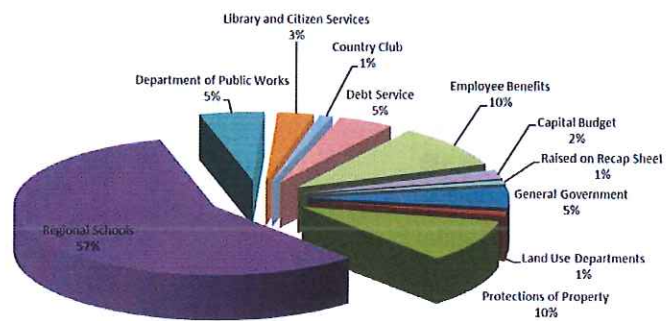
EXPENDITURE BREAKDOWN

Function	FY 2021 Proposed	Percent Change
• General Government	\$ 2,107,735	0.00%
• Land Use Departments	\$ 448,055	-0.51%
• Protection Persons/Property	\$ 4,317,845	-1.01%
• Department of Public Works	\$ 2,254,853	0.77%
• Library and Citizen Services	\$ 1,704,572	1.83%
• Employee Benefits	\$ 4,243,463	5.14%
• Municipal Government Total	\$15,076,601	1.40%

27

"Where Your Tax Dollars Go"

Fiscal Year 2021 Expenditure Analysis



28

TAX IMPACT

	<u>Actual FY 2020</u>	<u>Proposed FY 2021</u>	<u>Percent Change</u>
Levy Capacity Used	\$31,652,779	\$32,991,429	4.23%
Tax Rate	\$16.31	\$16.87	3.43%
Average Tax Bill	\$8,025	\$8,300	3.43%
Excluded Debt	\$2,070,421	\$2,183,383	5.46%
Tax Rate	\$1.07	\$1.12	4.67%
Average Tax Bill	\$526	\$551	4.67%
Final Levy Capacity	\$33,723,200	\$35,174,812	4.30%
Final Tax Rate	\$17.38	\$17.99	3.51%
Average Tax Bill	\$8,551	\$8,851	3.51%

29

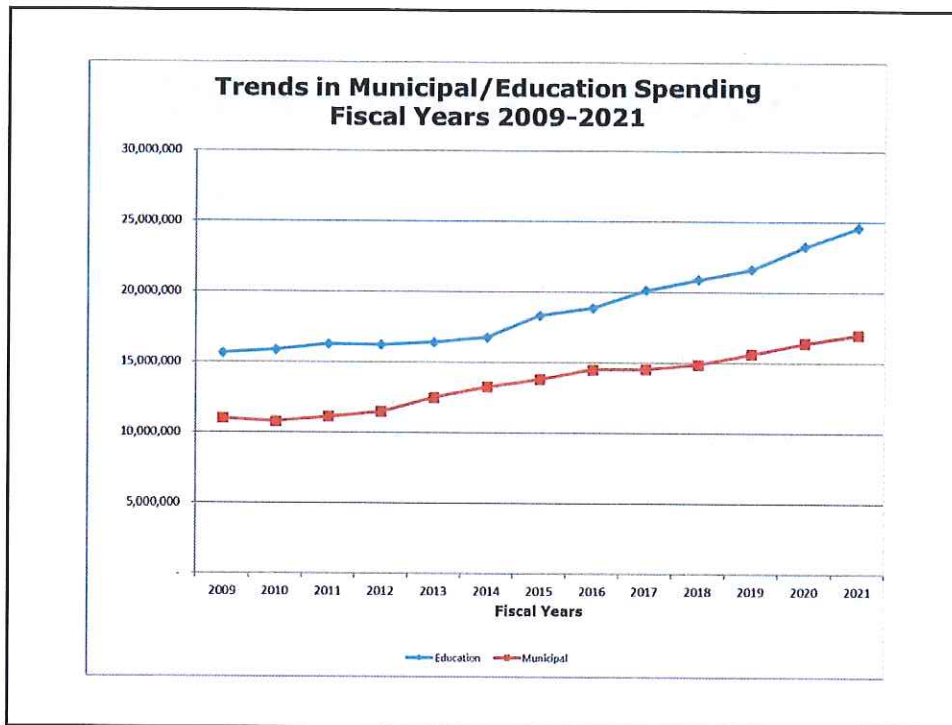
BUDGET CONCERNS

- The proposed FY 2021 Balanced Budget does not follow sound financial budgeting principals in which you do not use one-time revenue sources to fund operating expenses which may impact the Town's AAA Bond Rating. Should the 911 Grant not be received, there will be a need to find \$150,000 to fund Dispatcher Wages.
- Largest one-year increase in Estimated Receipts that may have a detrimental impact to the Town's Free Cash Position in FY 2022, which may impact the Town's AAA Bond Rating and Capital Budget.
- Five Year Projection continues to show the need for Operational Overrides over the next five years of over \$500,000 annually.

30

FIVE YEAR PROJECTION											
	FY 2021	FY 2022	Percent Increase	FY 2023	Percent Increase	FY 2024	Percent Increase	FY 2025	Percent Increase	FY 2026	Percent Increase
Expenditures											
Municipal Wages	\$ 8,051,096	\$ 8,252,373	2.50%	\$ 8,458,682	2.50%	\$ 8,627,656	2.00%	\$ 8,800,413	2.00%	\$ 8,976,422	2.00%
Employee Benefits	\$ 4,066,369	\$ 4,301,753	7.02%	\$ 4,658,566	7.05%	\$ 4,988,567	7.08%	\$ 5,343,536	7.12%	\$ 5,725,487	7.15%
Sub-Total	\$ 12,117,465	\$ 12,604,127	4.02%	\$ 13,117,268	4.07%	\$ 13,616,423	3.81%	\$ 14,143,949	3.87%	\$ 14,701,909	3.94%
Municipal Expenses	\$ 2,782,042	\$ 2,809,862	1.00%	\$ 2,837,961	1.00%	\$ 2,866,341	1.00%	\$ 2,895,004	1.00%	\$ 2,923,954	1.00%
Sub - Total	\$ 14,899,507	\$ 15,413,989	3.45%	\$ 15,955,229	3.51%	\$ 16,482,763	3.31%	\$ 17,038,953	3.37%	\$ 17,625,862	3.44%
Debt Service - In Levy Capacity Only	\$ 345,232	\$ 345,232	0.00%	\$ 345,232	0.00%	\$ 345,232	0.00%	\$ 345,232	0.00%	\$ 345,232	0.00%
Total - Municipal Budget	\$ 15,244,739	\$ 15,759,221	3.37%	\$ 16,300,461	3.43%	\$ 16,827,996	3.24%	\$ 17,384,186	3.31%	\$ 17,971,094	3.39%
Groton Durable Regional School	\$ 22,699,242	\$ 24,061,197	6.00%	\$ 25,504,668	6.00%	\$ 27,035,160	6.00%	\$ 28,657,270	6.00%	\$ 30,376,706	6.00%
Middle School Roof Debt Service	\$ 58,147	\$ 59,019	1.50%	\$ 59,904	1.50%	\$ 60,803	1.50%	\$ 61,715	1.50%	\$ 62,641	1.50%
GBRSD Capital	\$ 442,859	\$ 444,531	0.38%	\$ 453,411	24.40%	\$ 552,203	0.22%	\$ 553,408	0.22%	\$ 400,000	-27.72%
Nashoba Regional Technical High School	\$ 728,602	\$ 747,022	2.50%	\$ 765,698	2.50%	\$ 784,640	2.50%	\$ 804,601	2.50%	\$ 824,573	2.50%
Total - Regional Schools Assessments	\$ 23,929,050	\$ 25,311,769	5.78%	\$ 26,833,881	6.21%	\$ 28,433,007	6.78%	\$ 30,078,854	5.78%	\$ 31,663,920	5.28%
Total Operating Expenses	\$ 39,173,789	\$ 41,070,990	4.84%	\$ 43,134,343	6.16%	\$ 45,261,002	4.81%	\$ 47,461,039	4.86%	\$ 49,635,014	4.58%
Additional Appropriations											
OPEB	\$ 177,094	\$ 193,032	9.00%	\$ 210,405	9.00%	\$ 229,342	9.00%	\$ 249,983	9.00%	\$ 272,481	9.00%
Capital Budget Request	\$ 471,670	\$ 500,000	6.01%	\$ 500,000	0.00%	\$ 500,000	0.00%	\$ 500,000	0.00%	\$ 500,000	0.00%
Overlay Defect From Prior Years	\$ -	\$ -	0.00%	\$ -	0.00%	\$ -	0.00%	\$ -	0.00%	\$ -	0.00%
Cherry Street Offsets	\$ 18,927	\$ 20,000	5.65%	\$ 20,000	0.00%	\$ 20,000	0.00%	\$ 20,000	0.00%	\$ 20,000	0.00%
Snow and Ice Deficit	\$ 100,000	\$ 200,000	100.00%	\$ 200,000	0.00%	\$ 200,000	0.00%	\$ 200,000	0.00%	\$ 200,000	0.00%
State and County Charges	\$ 93,392	\$ 95,727	2.50%	\$ 98,120	2.50%	\$ 100,573	2.50%	\$ 103,087	2.50%	\$ 105,664	2.50%
Allowance for Abatelements/Exemptions	\$ 150,000	\$ 200,000	33.33%	\$ 200,000	0.00%	\$ 200,000	0.00%	\$ 200,000	0.00%	\$ 200,000	0.00%
Sub-Total Additional Appropriations	\$ 1,010,663	\$ 1,208,759	19.60%	\$ 1,233,525	2.05%	\$ 1,260,040	2.15%	\$ 1,288,448	2.25%	\$ 1,318,008	2.35%
Grand Total Appropriations	\$ 40,184,472	\$ 42,279,749	6.21%	\$ 44,417,868	6.06%	\$ 46,521,042	4.73%	\$ 48,749,487	4.79%	\$ 50,953,022	4.52%
Revenues											
Previous Year Proposition 2 1/2 Levy Limit	\$ 31,932,418	\$ 32,891,429	3.32%	\$ 34,065,683	6.05%	\$ 35,918,528	5.62%	\$ 38,781,119	5.05%	\$ 40,875,791	5.40%
Allowed 2% Increase	\$ 798,310	\$ 824,768	3.32%	\$ 874,647	6.05%	\$ 927,983	6.02%	\$ 989,528	6.58%	\$ 1,021,655	5.40%
New Growth	\$ 250,700	\$ 501,651	92.51%	\$ 614,428	22.50%	\$ 577,289	-5.50%	\$ 540,471	-6.37%	\$ 553,653	2.44%
Proposition 2 1/2 Override	\$ -	\$ 647,787	0.00%	\$ 643,870	0.00%	\$ 412,339	0.00%	\$ 684,874	0.00%	\$ 642,970	0.00%
State Aid	\$ 971,581	\$ 900,000	-7.37%	\$ 800,000	0.00%	\$ 900,000	0.00%	\$ 900,000	0.00%	\$ 900,000	0.00%
Local Receipts	\$ 4,440,939	\$ 4,594,307	3.45%	\$ 4,698,919	2.20%	\$ 4,816,388	2.60%	\$ 4,936,788	2.50%	\$ 5,060,218	2.50%
Free Cash	\$ 300,730	\$ 372,000	23.70%	\$ 372,000	0.00%	\$ 372,000	0.00%	\$ 372,000	0.00%	\$ 372,000	0.00%
Transfer from Enterprise Funds	\$ 256,264	\$ 299,077	16.69%	\$ 292,631	5.00%	\$ 298,658	5.00%	\$ 311,400	5.00%	\$ 327,065	5.00%
Other Available Funds	\$ -	\$ -	0.00%	\$ -	0.00%	\$ -	0.00%	\$ -	0.00%	\$ -	0.00%
EMS Fund	\$ 300,000	\$ 300,000	0.00%	\$ 300,000	0.00%	\$ 300,000	0.00%	\$ 300,000	0.00%	\$ 300,000	0.00%
GBRSD Capital Stabilization Fund	\$ 442,859	\$ 368,482	-16.79%	\$ 445,694	21.01%	\$ 554,878	24.44%	\$ 553,408	-0.26%	\$ 400,000	-27.72%
Capital Stabilization Fund	\$ 471,670	\$ 500,000	6.01%	\$ 500,000	0.00%	\$ 500,000	0.00%	\$ 500,000	0.00%	\$ 500,000	0.00%
Grand Total Revenues	\$ 40,184,472	\$ 42,279,749	6.21%	\$ 44,417,868	6.06%	\$ 46,521,042	4.73%	\$ 48,749,487	4.79%	\$ 50,953,022	4.52%
Surplus/(Deficit)	\$ 0	\$ 0	0.00%	\$ 0	0.00%	\$ 0	0.00%	\$ 0	0.00%	\$ 0	0.00%

31



32