

# Select Board Meeting Packet

April 6, 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, APRIL 6, 2020  
AGENDA  
VIRTUAL MEETING  
BROADCAST ON ZOOM AND THE GROTON CHANNEL  
PURSUANT TO GOVERNOR'S EXECUTIVE ORDER  
CONCERNING THE OPEN MEETING LAW**

- 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. **Address Any Changes in Emergency Protocols – Update On Town Action**
  2. **Review Any New Information from the Commonwealth**
  3. **Continue Review of Spring Town Meeting Warrant to Consider Delaying Some Articles Until the 2020 Fall Town Meeting – Input from Community Preservation Committee and Commissioners of Trust Funds**
  4. **Consider Implementing a Hiring Freeze Effective Immediately**
  5. **Approve Annual Fuel Storage Permits**
  6. **Continue Review of Proposed Changes to Town Manager's Review Policy/Form**
  7. **FY 2021 Budget Update**

### OTHER BUSINESS

- II.    **Minutes:    Virtual Meeting of March 30, 2020**

### ADJOURNMENT

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



## TOWN OF GROTON

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

## Select Board

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

**Town Manager**  
Mark W. Haddad

**To:** *Select Board*

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

**Subject:** *Weekly Report*

**Date:** *April 6, 2020*

1. The following is a summary of what has transpired since you met last Monday evening with regard to protocols and Department/Town Hall activity.
  - a. The DPW is back to full work with new safety protocols in place as approved by the Chair. In addition, all bag sales have ceased at the Transfer Station. Bags are still required for the disposal of trash and they can be purchased at Shaw's, Country Farms Convenience and Shop and Save in Ayer. It is approaching the time of year for residents to purchase stickers for access to the Transfer Station. Ordinarily, stickers are sold at the Transfer Station and the Town Clerk's Office. We are working on a plan to implement on line sales only. I will report back to the Board once this is put into place.
  - b. The Finance Team met last week to review the Town's finances and tax collections over the last several days. We have posted over \$400,000 in tax collections last week. Dawn Dunbar has been designated to get the mail from the post office once a week. After a 24-hour quarantine period, mail will be sorted and given to the various departments. In addition, payroll was completed last week and all employees received their pay by direct deposit. The Assessors will schedule a meeting later this week or next to start reviewing abatement applications. The Town Accountant is in the process of preparing an expense warrant for issuance on April 9<sup>th</sup>. Open enrollment activities continue with our HR Director. The Finance Offices have been very busy this past week.
  - c. The Public Safety Officials also met. They continue to provide excellent services to our residents. We are very fortunate that we are not experiencing any sick employees and remain at full strength. They continue to review and update their COVID-19 protocols to ensure employee safety. I did make a decision this past week to help out the Police Academy, if necessary. As you are aware, Casey O'Connor has been attending the Police Academy. When the COVID-19 crisis hit, the Academy was temporarily closed. Today, we received word that, with the institution of proper protocols, the academy will resume running in the next week. That is good news as we are chomping at the bit to get Casey back to work with the Department. The bad news is the firing range at Devens has been closed and is not available for the recruits to quality. Without qualifying, even passing the Academy will not allow Casey or the other recruits (approximately 90) to be certified as Police Officers. Therefore, with state approval and if they cannot find a location closer to Methuen (location of the Academy), I have approved the use of our Firing Range on Cow Pond Brook Road by the Academy to certify the use of fire arms by the recruits. This approval requires compliance with proper social distancing and sanitizing guidelines. I have asked the Police Chief to notify the abutters of this use, if approved by the State and needed by the Academy.

**Continued on next page – Over >**

**Select Board  
Weekly Report  
April 6, 2020  
page two**

1. **Continued:**
  - d. As voted by the Board, I have notified Boards and Committees that they can start meeting again. We are working with IT, Cable and the Town Clerk to schedule meetings on Zoom. I have asked Town Counsel how to address public hearings. I will amend rules on meetings once received.
  - e. With regard to Building activity, last Monday the Board had adopted the Governor's Regulations with regard to building construction in Groton. However, the Governor changed those protocols on Tuesday to further restrict construction and issued new regulations on Thursday. I have attached those regulations to this report for your review. We have posted these regulations on line and alerted the public and various construction jobs that they have been updated. The original protocols put into place by me have not changed and we will continue to follow them. On a related note, Indian Hill Music has halted all construction activities until this crisis is over. I have also asked the Board of Health to review these new regulations and weigh in on them and provide any necessary guidance. We can discuss all of this in more detail at Monday's meeting.
  - f. With regard to the water damage at the Center in West Groton, Tom Delaney, Quintin Shea and I met with our insurance adjuster to develop a plan to repair the building. We came away in agreement that the damage was caused by the negligence of the Plumber on the original construction job. Our insurance company has approved a plan to replace all damaged areas and will subrogate against the Plumbers insurance company. We hope repair work will begin ASAP. I will keep the Board apprised of any new developments.
2. Governor Baker has extended the stay at home order for the protection of our residents through May 4<sup>th</sup>. To that end, I would respectfully request that the Board vote to extend our stay at home order of Town employees through that date as well. I had hoped to figure out a way to open the Golf Course with strict protocols in place, but the Governor has specifically closed all golf courses through May 4<sup>th</sup> as well. I am still planning on maintaining the course over the next four weeks, but we will not be open to the public until May 4<sup>th</sup> at the earliest. We can discuss this in more detail at Monday's meeting.
3. At our last meeting, I suggested that we delay some articles currently on the Warrant of the 2020 Spring Town Meeting until the Fall. To refresh the Board's memory, the following is my original proposal:

<u>Article</u>	<u>Action Proposed</u>
1. Hear Reports	Move Forward at Spring Town Meeting
2. Elected Officials Compensation	Move Forward at Spring Town Meeting
3. Wage and Classification Schedule	Move Forward at Spring Town Meeting
4. Fiscal Year 2021 Operating Budget	Move Forward at Spring Town Meeting
5. OPEB Trust Fund	Move Forward at Spring Town Meeting
6. FY 2021 Capital Budget	Delay Action Until Fall Town Meeting, with the exception of the following Items:
	Ambulance 2 Replacement      \$325,000
	Dump Truck Debt                      \$ 40,000
	IT Infrastructure                        \$ 40,000
	Tractor Trailer Debt                 \$ 40,000
	Police Cruiser                         \$ 56,570
	Triplex Mower Lease                 \$ 5,100

**Continued on next page – Over >**

**Select Board  
Weekly Report  
April 6, 2020  
page three**

**3. Continued:**

7.	Police Department Generator	Move Forward at Spring Town Meeting
8.	Environmental Consulting Services	Delay Action Until Fall Town Meeting
9.	Create a Stormwater Enterprise	Move Forward at Spring Town Meeting
10.	Special Legislation on Town Trust Funds	Delay Action Until Fall Town Meeting
11.	Complete Streets Engineering	Delay Action Until Fall Town Meeting
12.	Acquire Parcel on Land/Station Ave.	Delay Action Until Fall Town Meeting
13.	Mosquito Control Project	Remove and Not Act On
14.	CPA Funding Accounts	Delay Action Until Fall Town Meeting
15.	CPA Funding Recommendations	Delay Action Until Fall Town Meeting
16.	Zoning – Codification	Move Forward at Spring Town Meeting
17.	Zoning – Site Plan Review	Delay Action Until Fall Town Meeting
18.	Zoning – Attached Accessory	Delay Action Until Fall Town Meeting
19.	Zoning – Detached Accessory	Delay Action Until Fall Town Meeting.
20.	Amend Chapter 128 – Dogs	Delay Action Until Fall Town Meeting
21.	Acceptance of Amelia Way	Move Forward at Spring Town Meeting
22-32.	Consent Agenda	Move Forward at Spring Town Meeting.

The Board had requested that I reach out to the Trust Fund Commission and the Community Preservation Committee for their input as to my recommendation. Mike Hartnett has confirmed for me that the Commission does not have a problem with delaying their Article until the Fall. With regard to the CPC, I reached out the Chair and the Treasurer of the Committee and asked for their input. They are in agreement with my recommendation to postpone all projects, except for the Prescott Sprinkler System due to the pending bids. I have also heard from another member of the Committee who believes all projects, including Prescott should be delayed. I stand by my original recommendation with regard to this project. I have also invited the Moderator and Town Clerk to attend Monday's meeting to assist the Board in your decision-making process. We can discuss this in more detail at Monday's meeting.

4. I have scheduled time on the Agenda for the Board to consider implementing a hiring freeze effective immediately. We can discuss this in more detail at the meeting.
5. It is that time of year for the Board to approve the annual Fuel Storage permits. Attached to this report is a list of those permits. I would respectfully request that the Board approve them at Monday's meeting.
6. Earlier this year, prior to the COVID-19 Pandemic, the Select Board had received a recommendation from Select Board Member John Giger on a new process and form to conduct the annual performance review of the Town Manager. You had asked for some time to review the proposal and reschedule it on a future Agenda for further Board discussion. John had provided all of you with a paper copy of his proposal. I thought I would add this to Monday's Agenda so the Board can continue its discussion and determine next steps. I would ask that you review the paper proposal that John provided you as I do not have access to mine as it is at Town Hall. We can discuss this further at Monday's meeting.
7. I have set aside time on the Agenda for the Board to further discuss the idea brought forward last week by Finance Committee Chair Bud Robertson on delaying some items in the FY 2021 Proposed Budget. Specifically, Bud has suggested removing funding for Sargisson's Beach and the Weed Harvester maintenance of Baddacook Pond. We can discuss this and any other FY 2021 Budget issue in more detail at the meeting.

MWH/rjb  
enclosures

## Enforcement of the COVID-19 Safety Guidelines and Procedures for Construction Sites

COVID-19 Order No. 13, as revised and extended on March 31, 2020, requires the Massachusetts Department of Transportation and the Division of Capital Asset Management and Maintenance to “issue guidance and enforcement procedures for the safe operation of public works construction sites.” The safety guidance is attached as “COVID-19 Guidelines and Procedures for All Construction Sites and Workers at All Public Works Sites” (hereinafter, the COVID-19 Construction Safety Guidance) and is posted online and may be revised from time to time. This document contains the required enforcement procedures, which shall be followed by all state agencies and authorities who undertake, manage or fund construction projects and may be used by each city or town for ensuring the safety of both publicly- and privately-owned construction projects.

- **All Projects:** Construction sites that cannot consistently comply with the COVID-19 Construction Safety Guidance, including ensuring that social distancing and safety requirements are being followed, must:
  - Safely secure the site and pause construction activities until a corrective action plan is prepared, submitted and approved by both the Owner and the city or town; or
  - Close down the site for the duration of the State of Emergency if repeatedly found by either the Owner’s COVID-19 Officer or a state or local inspector (including a third-party private inspector accountable to a city or town) to be in violation of the social distancing and safety requirements.
- A city or town may additionally require the Owner to develop and submit a site-specific risk analysis and enhanced COVID-19 safety plan. The city or town shall review and approve such plan and may require such projects to pause construction until such a risk analysis and plan is submitted and approved. Once such an enhanced COVID-19 safety plan is approved, a violation of the plan shall be treated the same as a violation of the COVID-19 Construction Safety Guidance.
- A site-specific COVID-19 Officer (who may also be the Health and Safety Officer) shall be designated for every site.
- The approved project Health and Safety Plan (HASP) shall be modified to require that the Contractor’s site-specific project COVID-19 Officer submit a written daily report to the Owner’s Representative. The COVID-19 Officer shall certify that the contractor and all subcontractors are in full compliance with the COVID-19 Construction Safety Guidance.
- **Public Projects:** For all projects undertaken, managed or funded by a state agency or authority there shall be joint enforcement responsibility between the project’s public Owner and the city or town where the project is located.
  - The Owner of the project has the lead responsibility for compliance and enforcement including frequent on-site inspections by an employee or contractor of the state agency or authority who is familiar with the COVID-19 Construction Safety Guidance and is authorized to enforce that guidance and shut down work at the site if violations are found.
  - The Owner of the project is required to notify the municipality where the work is taking place whenever a site is shut down or of any violations of the COVID-19 Construction

Safety Guidance and the resulting corrective action plan, as well as to provide copies of the COVID-19 Officer's written daily reports upon request.

- While the public Owner has the lead responsibility for enforcement, cities and towns retain the authority to take enforcement action against public projects found not in compliance with the COVID-19 Construction Safety Guidance, including the authority to order the project to shut down until a corrective action plan is developed, approved and implemented.
  
- Private Projects: For all private projects the primary enforcement responsibility rests with the city or town, with the Massachusetts Department of Transportation and other state agencies providing technical assistance and resource support.
  - Cities and towns are authorized to enforce the COVID-19 Construction Safety Guidance using their public health staff, building inspectors or any other appropriate official or contractor.
  - Cities and towns may enforce the safety and distance protocols including requiring the Owner and/or Contractor to safely secure the site and pause construction activities until a corrective action plan is prepared, submitted and approved by the city or town.
  - The city or town may require the Owner of a private project to pay for an independent, third party inspector or inspection firm (or to pay into a pool to pay for such inspections). The third party inspector shall be accountable solely to the city or town and shall be responsible for enforcement on behalf of the city or town. A city or town may require private projects to pause construction until such a third-party inspector has been secured.

Any questions about these enforcement procedures or the accompanying Guidance can be directed to:

For MassDOT, Michael McGrath, Assistant Administrator for Construction Engineering,  
[michael.a.mcgrath@state.ma.us](mailto:michael.a.mcgrath@state.ma.us)

For DCAMM, Jay Mitchell, Deputy Commissioner, [Jayson.mitchell@mass.gov](mailto:Jayson.mitchell@mass.gov)

# **Supplemental Guidelines for Construction Sites**

## **ADDENDUM 1 Limiting Exposures and Worker Infection Protocol**

### **COVID-19 Employee Health, protection, guidance and prevention**

#### **Limiting Exposures**

Workers should follow the General On-the-Job Guidance to Prevent Exposure & Limit the Transmission of the Virus of the COVID-19 Employee Health, protection, guidance and prevention guide.

In addition, Contractors should advise workers of best practice to limit exposures off the construction site.

When leaving a construction site for breaks, lunch, or other reasons are required to wash hands with soap for at least 20 seconds or use an alcohol-based hand sanitizer with at least 60% ethanol or 70% isopropanol before leaving the site and must maintain social distancing if traveling to other locations off the construction site. Frequent use of handwashing or alcohol-based hand sanitizers should be encouraged and handwashing facilities and/or alcohol-based hand sanitizers should be made readily available at work sites.

#### **Worker Infection Protocol**

As provided in the guidance document, there is a zero tolerance for sick workers reporting to work. Employees should be instructed that even those with mild symptoms of respiratory infection (cough, shortness of breath, sore throat) or fever should stay off work. Contractors shall take immediate steps to limit infections at the job site in the event that a worker discovered to have tested positive for COVID-19 or has COVID-19 related symptoms.

Although it is understood that contractors are enforcing Work Site Risk Prevention Practices including social distancing rules and use of PPE, consistent with guidelines it is also recognized that there may be occasions where someone who has tested positive for COVID-19 or who has COVID-19 symptoms has been present in a work area..

Prompt identification and isolation of potentially infectious individuals is a critical step in protecting workers, vendors, visitors, and others at a worksite.

#### **IDENTIFICATION OF EXPOSURE**

The Contractor shall direct workers with COVID-19 related symptoms to leave the jobsite immediately and contact their healthcare provider. The Massachusetts Department of Health (DPH) or a local board of health will make appropriate notifications to those who had direct prolonged contact with the COVID-19 positive workers.

The Contractor shall work with the local board of health to identify any potential jobsite exposures, including :

- Other workers , vendors, inspectors, or visitors to the work site with close contact to the individual
- Work areas such as supply cabinets and designated work stations or rooms
- Work tools and equipment
- Common areas such as break rooms and tables, vending machines, and sanitary facilities

## **NOTIFICATION AND QUARANTINE REQUIREMENTS**

As provided by law, the identity of the worker must be kept confidential.

Upon learning of an infection, the contractor must immediately notify the designated COVID-19 safety officer, the site safety officer, and the owner.

## **SANITIZATION REQUIREMENTS**

Contractor shall take immediate steps to sanitize common areas and direct work places. This includes all on-site bathrooms facilities, any break facilities, and any other common areas on the job site that may have been in close contact with the infected worker.

Sanitation will be conducted with personnel, equipment, and material approved for COVID-19 sanitization.

Identified areas should remain isolated from workers until sanitation process has been completed and area is deemed safe for use.

## **RETURNING TO WORK**

All impacted workers should follow CDC and DPH recommended steps concerning return to work. Workers who are considered close contacts to a COVID19 case by public health authorities should not return for 14 days and are subject quarantine by public health.

Workers who leave during the work day due to COVID-19 symptoms and develop COVID-19 as confirmed by laboratory testing or diagnosis by a healthcare provider shall not return to the site until either released from isolation by healthcare provider or public health.

## **IN ALL CASES**

Keep all employee names confidential as required by law.

Other employees may be sent home while a workspace is being cleaned but will return to work after cleaning unless advised otherwise by a health care provider.

Other employees should be asked to contact their health provider if they have any questions. Remind other employees to continue to practice proper sanitation and monitor for flu like symptoms.



# 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

### MEMORANDUM

**TO:** Mark Haddad, Town Manager  
**FROM:** Dawn Dunbar, Executive Assistant  
**DATE:** April 1, 2020  
**RE:** 2020 License Renewals – Fuel Storage

The following licenses require Select Board approval for renewal:

1. **Deluxe Corporation**  
License to expire on April 30, 2021  
Located at 500 Main Street  
Fuel Storage license originally granted on 12/15/2003
2. **Groton School**  
License to expire on April 30, 2021  
Located on Farmers Row  
Fuel Storage license originally granted on 12/15/2003
3. **Global Montello Group Corp.**  
License to expire on April 30, 2021  
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, 2021  
Located at 342 Main Street  
Fuel Storage license originally granted on 12/15/2003
5. **Energy North (Haffners)**  
License to expire on April 30, 2021  
Located at 318 Main Street  
Fuel Storage license originally granted on 11/01/2004
6. **NESSP**  
License to expire on April 30, 2021  
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, 2021

Located at 619 Boston Road

Fuel Storage license originally granted on 7/13/2009

**SELECT BOARD MEETING MINUTES  
MONDAY, MARCH 30, 2020  
UN-APPROVED**

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

**Also Virtually Present:** Mark W. Haddad, Town Manager; Dawn Dunbar, Executive Assistant; Melisa Doig, HR Director; Tom Delaney, DPW Director; Patricia Dufresne, Town Accountant; Michael Bouchard, Town Clerk; Jonathan Greeno, Principal Assistant Assessor; Bud Robertson, Finance Committee Chair; Michael Hartnett, Tax Collector/Treasurer; Michael Chiasson, IT Director

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

**ANNOUNCEMENTS**

Ms. Pine said she wanted to provide some information received earlier that day from the Dept of Public Health (DPH). She said that it had been announced that they had the first confirmed COVID-19 case in Groton last week. She said that the DPH was not going to provide communities with notices of individual cases any longer. She said that they were only going to update county data. She said that Nashoba Board of Health public health nurses contacted those who were positive, would monitor those infected and make assessments about those within close contact with those individuals (those who had been within 6ft for longer than 15 minutes). She said that those people would be asked to self-quarantine for 14 days. Ms. Pine said that the information she was providing would be posted on the Town's website. Ms. Pine said that HIPAA did not allow the Board of Health to release personal information. Mr. Giger said he was disappointed that they were not getting information from their local Board of Health. He said he was concerned that the State was shutting them off from the basic indications for planning purposes. He said he was not happy but not anything anyone of them could solve.

Mr. Haddad said that Mr. Giger asked for an every other day update on what they were doing in town. He said that he tried to cover this in his Town Manager's reports. Mr. Haddad said he would post reports every other day.

**TOWN MANAGER'S REPORT**

1. Mr. Haddad said that everyone within the Town Hall, Library and Country Club had been sent home to work with the exception of the Senior Center staff. Mr. Haddad said that Town Hall employees were working hard and doing the best they could to meet the needs of the residents. Mr. Haddad said that the Senior Center was providing meals on wheels and rides to the stores, etc. Mr. Haddad said that the DPW was staffed with 3 individuals every day including Transfer Station and mechanic employees to keep essential work going. Mr. Haddad said that he issued a spending freeze last week adding he was concerned about revenues going forward.

Mr. Haddad said that he also wanted to talk about an issue at the Senior Center and an issue with how a roof drain was secured. He said that water came into the building over the weekend. Mr. Haddad said that they had a meeting with the insurance adjuster and contractor that day and would have another the next day to discuss next steps. Mr. Haddad said he was taking a hardline approach on this. He said that the drain should have been caught and this never should have happened.

Ms. Pine said she wasn't sure why they were pulling back on DPW operations. She said she was concerned about standard work not getting done. Mr. Delaney said he was directed to scale back. He said they had a lot of work that needed to be done. Ms. Pine said she was concerned about the MS4 work. Mr. Delaney said that the MS4 was a small piece of the work. Ms. Pine said that some things were not getting done and would pile up. Mr. Delaney agreed. Ms. Manugian said that part of the concern was she wasn't confident that people were following the rules and some things couldn't be done 6ft apart. She said she would always air on the side of more caution. Mr. Haddad said that he was directed last week at their meeting to scale back on DPW operations. Mr. Giger said that everyone needed to realize that they needed to keep an eye on financially on what needed to be done. He said that cash flow was critical. Ms. Pine said that pulling the highway workers off was not saving them any money adding they were still paying people.

Mr. Haddad said that Police and Fire operations were continuing well with no issues.

2. Mr. Haddad said that Governor Baker had closed all schools and daycares until May 4th, that the plastic bag ban was removed for now (even though it wouldn't go into effect in Groton until July 1), hand sanitizer needed to be provided to people visiting grocery stores, etc. Mr. Haddad said that he expected that the Governor would follow suit with the President in the coming days adding that the President extended the closures until the end of April. Mr. Haddad said that should the ban be lifted; he would recommend keeping Town Hall closed to the public but allow employees back in to work.
3. Mr. Haddad said that the Board of Health had declined to prohibit building construction in Town or restaurant take-out service. He said that they did however, reaffirm their support for actions taken by the Town Manager and Land Use Director to protect their employees and local construction workers. Mr. Haddad said that he met with their Land Use Staff, and had instituted the following Building Department Protocols:
  - a. The Building Department would continue to accept all permit applications, but would not issue any permits until at least April 7, 2020. He said that this date would be reviewed by the Town Manager to determine if it needed to be extended.
  - b. Exterior Property Inspections would be allowed as long as a particular inspector was comfortable performing said inspection.
  - c. Interior inspections in occupied buildings WERE NOT ALLOWED under any circumstances.
  - d. Interior inspections in unoccupied buildings could be performed as long as the inspector was comfortable performing said inspection and the attached questionnaire was completed and approved by the Building Commissioner and/or Fire Chief.

Mr. Haddad said that they had instituted these protocols for the protection of their employees. He said that they were also reviewing the State regulations with regard to Building construction as instituted by the Governor and would advise the Board of any action they would be taking to enforce those regulations. Mr. Haddad said that they provided the 2 major construction sites in town with a copy of the Governor's order. He said he would like the Board to adopt that tonight.

Mr. Haddad said that he sent a resident's email received earlier that day to Town Counsel and was waiting for a response. Ms. Pine said that her reading of the Governor's Order was that the Town was not going to change anything they were doing right now. Mr. Haddad said that his primary focus was protecting the inspectors and the residents. Mr. Giger said that the guidance provided by the MMA was unclear. Mr. Haddad said he was comfortable doing what they were doing at the local level to protect the inspectors and the community. Mr. Degen said that he disagreed on the construction activities. He said it was so hard to social distance in an enclosed construction site. Mr. Degen said the Governor was doing a great job but not with this one. Jason Weber, Chair of the Board of Health said that all of them could come up with hypothetical circumstances that could show potential risk. He said that they needed to take a fact-based approach. He said that making claims that people coming into their town could pose a risk was not helping matters. Mr. Giger asked how they could limit their own DPW employees but the State allowed construction sites to keep going. Ms. Manugian said she was going to ask for a motion in a minute to adopt the Order but asked what could be done for enforcement and monitoring. Mr. Haddad said that they handed out the document to various construction jobs asking them to adhere to the guidelines adding there was nothing they could do to enforce the State order. Ms. Haddad said he was not sure what they could do with the smaller jobs adding the only thing they could do was spot inspections possibly.

*Ms. Manugian said she would entertain a motion to adopt locally the Governor's Order and subsequent clarification letter issued by Town Counsel, Attorney Ross. Ms. Pine made the motion. Mr. Reilly seconded the motion.*

Mr. Degen said that this was an unfunded mandate asking who it would fall on. Mr. Haddad said that the permit could be pulled if found in violation by the Building Department. Mr. Degen said there were a lot of permits out there. Mr. Haddad said that they were doing the best they could. Mr. Degen said that they took on more liability within the Town if they adopted this. He said he would rather see the State take on the responsibility. Ms. Manugian said that there would be no enforcement if they left it up to the state. Mr. Degen said that they could follow Boston, Cambridge and Somerville and shut down construction. Ms. Pine said that there was the possibility that new guidelines could be issued tomorrow by the Governor. Ms. Pine said that they should allow people to seal things up if they went down that road. She said they should adopt this that day and see what the Governor said. Mr. Giger said that for the short term, they could accept this. Mr. Reilly asked who was going to enforce social distancing. He said that everyone needed to be responsible and take this seriously. He said that until the Governor fixed this, they would be nailing themselves into the ground. He said that they could drive themselves crazy with this adding everyone needed to be responsible and take care of themselves and for the sake of the people around them.

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

Mr. Haddad said he would post the Order on the website and speak with the inspectors tomorrow. Mr. Degen said that there was a mandatory shut down day this week so that contractors could make sure protocols were in place. Ms. Manugian said that her understanding was that the shut-down day was for state projects adding smaller projects could pick any day and do the same. Mr. Haddad said he would speak with Bob Garside tomorrow.

4. Mr. Haddad said that they were going into Executive Session later on to discuss union contracts. Mr. Haddad said that they were self-insured with their unemployment. He said that they were responsible for 36% of payroll expenses. He said that the federal government as part of recent guideline changes said they (the Town) would only be responsible for 50% of the 36%. He said it was complicated right now adding there were still things to be looked into. Ms. Pine said that reality was the money paid out for unemployment came from the Town and didn't mean they would be saving money. Mr. Reilly asked if they would be reimbursed for certain payroll costs. Mr. Haddad said that they were tracking all costs relative to COVID-19. He said that should they be able to apply for reimbursement, the Town would be ready to go. Ms. Dufresne said it could take a while but that they would get some sort of reimbursement.
5. Mr. Haddad said that the moratorium on public meetings expired that day. He said he was recommending that the Board lift the moratorium and allow Boards and Committees to meet only if absolutely necessary to conduct Town Business. Mr. Haddad recommend that meetings be held virtually on Zoom only and was not recommending that they open up Town Buildings for meetings at this time. He said that he would work with the various Boards and Committees and their IT Department to coordinate any meetings. Mr. Haddad said that all meetings must be posted with 48 hours' notice in compliance with the Open Meeting Law. He added that in order to allow for better public access to meetings, they would start using the Webinar Function on Zoom, a function that allowed the public to actually join the meeting and participate when called on by the Chair.

Ms. Manugian asked if the Board allowed the Town Manager to work with the Boards and Committees to schedule virtual meetings, if it would be onerous on him to do that. Mr. Giger said that it should be appealable to the Select Board. Ms. Pine asked if the use of Zoom was allowable for public hearings. Mr. Bouchard said that they needed to obtain an interpretation from Town Counsel on that. Ms. Manugian said that the rules needed to be clear if they allowed this. Takashi Tada said that the Historic Districts Commission would have ordinarily have had a meeting planned for April 21st adding they needed to advertise tomorrow as per their regulations if this moratorium was lifted. Mr. Haddad said he would advertise the public hearing adding they could be cancelled if they needed to. Mr. Haddad said he would put together a protocol for the Board to review tomorrow. Mr. Haddad said he wanted to allow Boards to carry on with Town business by allowing them to meet. Ms. Pine said she was in favor of allowing boards to meet and thought they could initiate the request with Mr. Haddad.

Ms. Pine moved that the Select Board authorize Committees to meet, following certain protocols beginning with a meeting request being made to the Town Manager added that all meetings were to be held virtually with as much public input allowed and could be managed. Mr. Degen seconded the motion. Roll Call: Manugian-aye; Pine-aye; Giger-aye; Reilly-aye; Degen-aye

6. Mr. Giger mentioned the reading of a letter into the record from Alan Hoch. Ms. Manugian said that they could add it to the minutes. Ms. Pine said that Mr. Hoch did not think they should be allowing Indian Hill to continue construction per his interpretation of the Governor's order.
7. Mr. Degen referred to an email from March 16, 2020 that a resident would like read into the record. Ms. Manugian said that they were not talking about payroll right now adding they could discuss it during Executive Session.
8. Mr. Haddad said that the Town Election was discussed on a conference call that day. He said that they referenced the state law and delays the elections per state law. Mr. Haddad said that the town's bylaw changed the election per the change in the town meeting date. He said nomination papers were now due on April 21st. Mr. Bouchard said that they were good with their revised dates. Mr. Bouchard said that the deadline to pull papers was April 17th. He said that he would like to do things by email and encouraged interested persons to call him or email him. He said that 50 signatures would still need to be obtained. He said that they would try to be creative and work with people on ways they could obtain 50 signatures while social distancing.
9. Mr. Haddad said that they should consider delaying some warrant articles until the fall and take them off this warrant. Mr. Haddad said that he provided the Board with a recommendation on what should move forward and what should not. Ms. Pine said that she had heard that this virus could ramp up again in the fall and questioned the possibility of acting on postponed articles then. Mr. Degen asked if there had been new guidance from the State on town meeting rules. Mr. Degen said that they should go through the recommendations and then add anything they wanted to. Mr. Haddad provided the following recommendations:

<u>Article</u>	<u>Action Proposed</u>	
1 Hear Reports	Move Forward at Spring Town Meeting	
2 Elected Officials Compensation	Move Forward at Spring Town Meeting	
3 Wage and Classification Schedule	Move Forward at Spring Town Meeting	
4 Fiscal Year 2021 Operating Budget	Move Forward at Spring Town Meeting	
5 OPEB Trust Fund	Move Forward at Spring Town Meeting	
6 FY 2021 Capital Budget	Move Forward at Spring Town Meeting	
	with the exception of the following items:	
	<i>Ambulance 2 Replacement</i>	\$325,000
	<i>Dump Truck Debt</i>	\$40,000
	<i>IT Infrastructure</i>	\$40,000
	<i>Tractor Trailer Debt</i>	\$40,000
	<i>Police Cruiser</i>	\$56,570
	<i>Triplex Mower Lease</i>	\$5,100
7 Police Department Generator	Move Forward at Spring Town Meeting	
8 Environmental Consulting Services	Delay Action Until Fall Town Meeting	
9 Create a Stormwater Enterprise	Move Forward at Spring Town Meeting	
10 Special Legislation on Town Trust Funds	Delay Action Until Fall Town Meeting	
11 Complete Streets Engineering	Delay Action Until Fall Town Meeting	
12 Acquire Parcel on Land/Station Ave.	Delay Action Until Fall Town Meeting	
13 Mosquito Control Project	Remove and Not Act On	
14 CPA Funding Accounts	Delay Action Until Fall Town Meeting	
15 CPA Funding Recommendations	Delay Action Until Fall Town Meeting	
16 Zoning - Codification	Move Forward at Spring Town Meeting	
17 Zoning - Site Plan Review	Delay Action Until Fall Town Meeting	
18 Zoning -Attached Accessory	Delay Action Until Fall Town Meeting	
19 Zoning - Detached Accessory	Delay Action Until Fall Town Meeting	
20 Amend Chapter 128 - Dogs	Delay Action Until Fall Town Meeting	
21 Acceptance of Amelia Way	Move Forward at Spring Town Meeting	
22-32 Consent Agenda	Move Forward at Spring Town Meeting	

Ms. Pine left the virtual meeting and returned a few minutes later at 8:33pm.

There was a discussion about the sprinkler system project at the Prescott School that was currently out to bid right now with bids being due on April 15th and any effect delaying that article would have. Ms. Pine said that she would want to hear from the applicants who had CPC applications about any delays. Ms. Pine asked about whether they would get bids on the sprinkler system. Mr. Haddad said that people were requesting the bid specs but he wasn't sure if and how many people would bid.

Ms. Pine said that the dog bylaw delay would add to the risk that they were in conflict with State law. Mr. Haddad said that waiting until the fall allowed a case currently being adjudicated in the courts time to work itself out and allowed for more attendance at the Fall Town Meeting.

Ms. Manugian said she would entertain a motion to move forward with the recommendations made by the Town Manager. Ms. Pine said she was generally in favor of this but asked if they could wait another week to receive answers on a couple of questions they had posed. Mr. Degen said he didn't see any reason to move forward that night and thought holding off a week was reasonable.

Mr. Robertson said that the budget approved so far was to be reviewed on April 21<sup>st</sup> by the Finance Committee adding he was going to suggest not moving forward with funding Sargisson Beach lifeguards and weed management at Baddacook. He said that the unknowns at this time needed to be considered. Mr. Haddad said that the FY20 meals and room tax revenue was received that day. He said that that meals tax put them over the budget projections by \$11k and the room tax was about under budget by \$8K. Mr. Haddad said that they would not exceed that next year as they thought they would due to this pandemic. Mr. Degen said that the school department had been talking about layoffs and furloughs. He said that that money would not stay with the schools but come back to the towns. It was discussed that that money would go back into free cash. Ms. Dufresne said that if they didn't need it to cover a revenue deficit, then it would flow back to free cash.

#### MINUTES

*Ms. Pine moved to approve the meeting minutes of March 23, 2020 as presented. Mr. Reilly seconded the motion. Roll Call: Reilly-aye; Giger-aye; Degen-aye; Pine-aye; Manugian-aye*

*Mr. Haddad asked the Board to enter into Executive Session pursuant M.G.L., c. 30A, §21(a), clause 3 – "To discuss strategy with respect to collective bargaining or litigation in an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares." Mr. Haddad said that they would exit out of this webinar and enter a new meeting. Ms. Manugian said that they would not return to Open Session.*

*Ms. Pine made the motion. Mr. Giger seconded the motion. Roll Call: Reilly-aye; Giger-aye; Degen-aye; Pine-aye; Manugian-aye*

The regular meeting adjourned at 8:54pm.

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

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

Date Approved: