

# Select Board Meeting Packet

## September 14, 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 Manager**  
Mark W. Haddad

## TOWN OF GROTON

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

## Select Board

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

**SELECT BOARD MEETING**  
**MONDAY, SEPTEMBER 14, 2020**  
**AGENDA**  
**VIRTUAL MEETING**  
**BROADCAST ON ZOOM AND THE GROTON CHANNEL**  
**PURSUANT TO GOVERNOR'S EXECUTIVE ORDER**  
**CONCERNING THE OPEN MEETING LAW**  
**ZOOM MEETING ID: 834 0319 8118**

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

7:05 P.M. Public Comment Period

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

1. Select Board's Agenda Schedule
2. Address Any Changes in Emergency Protocols – Update on Town Action
3. Review Any New Information from the Commonwealth
4. Consider Appointing Derek Cianci to the Trails Committee Based on the Nomination of the Town Manager
5. Consider Appointing Michelle Collette to the Diversity Task Force
6. Review Revenue Breakdown of Transfer Station Receipts
7. Update on Library Parking Lot
8. Finalize and Approve Warrant for 2020 Fall Town Meeting
9. Update on Select Board Schedule through End of Year

**OTHER BUSINESS**  
- Approve Deed for Olivia Way Easement  
- Approve Deed for Village Meadows Conservation Land

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

- A. Prescott School Sprinkler System Project
- B. Water Department – Manganese Issue
- C. MS4 Permit
- D. Polystyrene Containers
- E. Green Communities Application and Implementation
- F. Florence Roche Elementary School Feasibility Study
- G. Highway Garage Renovations

**SELECT BOARD LIAISON REPORTS**

II. Minutes: Virtual Meeting of August 24, 2020  
Virtual Meeting of August 31, 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.



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**Town Manager**  
Mark W. Haddad

**To:** *Select Board*

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

**Subject:** *Weekly Report*

**Date:** *September 14, 2020*

1. In addition to the Town Manager's Report and an update on the On-going issues list, there are two items under Other Business requiring Board action. Specifically, there are two deeds, attached to this report, that need Board approval. The first deed is for Village Meadows, which is the open space off-set for a 9-unit flexible development off of Townsend Road. The Planning Board had issued a Special Permit for this project and the Conservation Commission is taking control of the open space. The second deed is for Parcel L, located in Pepperell, as part of the Article 97 land swap for the granting of the easement on conservation land to deal with the flooding drainage at Olivia Way. I will be asking the Board to vote to approve both deeds at Monday's meeting.
2. As of the writing of this report, I have no specific update on Town Action relative to the COVID-19 Pandemic. We continue to operate under the protocols approved by the Select Board and there are no issues to report.
3. As of the writing of this report, I have no specific update on State protocols. I will provide the Board with any additional changes in State protocols at Monday's meeting.
4. At the request of the Trails Committee, I am nominating Derek Cianci for appointment to the Trails Committee. I would respectfully request that the Select Board appoint Mr. Cianci to the Trails Committee.
5. Due to the designated meeting night of the Diversity Task Force, Barbara Rich cannot serve as a member of the Committee and has resigned. I am recommending that the Select Board appoint Michelle Collette to the Task Force to represent the Council on Aging. I would respectfully request that the Board make this appointment at Monday's meeting.
6. At your last meeting, the Board asked for a further breakdown of the revenues received at the Transfer Station. Enclosed with this report is that breakdown. We can discuss and review this in more detail at Monday's meeting.
7. Also at your last meeting, the Board requested that I reach out to the Library Trustees and request that they consider delaying the capital request to pave the parking lot until next Spring. The Trustees have agreed to this delay and I have removed the request from the Capital Budget Article to be considered at the Fall Town Meeting.

**Select Board  
Weekly Report  
September 14, 2020  
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8. Enclosed with this report is the Final Draft of the 2020 Fall Town Meeting Warrant. This Warrant has been updated to reflect the positions taken by the Select Board and Finance Committee, as well as, adding the Town Manager's Report to the Fall Town Meeting. In addition, we have two unpaid bills (Board of Registrar Stipend and Temporary Sanitary Facility at Lost Lake Boat Ramp) that will have to be approved by the Town Meeting under Article 1. I would ask the Board to review this draft and let me know if you want to change any of your positions and vote to approve and issue the Warrant. It will go to the Printer first thing Tuesday morning and delivered to all residences in Groton on Friday, September 18<sup>th</sup>. We can discuss this in more detail at Monday's meeting.

9. Please see the update to the Select Board's Meeting Schedule through the new year:

Monday, September 14, 2020	-Already Posted
Monday, September 21, 2020	-Public Hearing on Layout of Red Pepper Lane -Discuss RFP for Curbside Pickup -Assign Select Board Members to Annual Goals.
Monday, September 28, 2020	-No Meeting (Yom Kippur Holiday)
Monday, October 5, 2020	-Town Meeting Review/Follow-Up
Monday, October 12, 2020	-No Meeting (Columbus Holiday)
Monday, October 19, 2020	-Prepare for Budget Guidance/Union Negotiation Guidance -FY 2021 First Quarter Financial Review -Update on Select Board and Town Manager Annual Goals
Monday, October 26, 2020	-Joint Session with Finance Committee – FY 2022 Budget Guidance – Union Negotiations
Monday, November 2, 2020	-Finalize Budget Guidance – Review Town Manager's Budget Instructions
Monday, November 9, 2020	-Financial Policy Review -Discuss Select Board Criteria for Appointees to CPC
Monday, November 16, 2020	-Tax Classification Hearing
Monday, November 23, 2020	-Regularly Scheduled Meeting
Monday, November 30, 2020	-No Meeting (Potential Meeting Date)
Monday, December 7, 2020	-Regularly Scheduled Meeting

**Continued on next page – Over >**

**Select Board  
Weekly Report  
September 14, 2020  
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9. **Continued:**

Monday, December 14, 2020	-Annual Licenses
Monday, December 21, 2020	-Regularly Scheduled Meeting
Monday, December 28, 2020	-No Meeting
Monday, January 4, 2021	-No Meeting
Monday, January 11, 2021	-Presentation of Town Manager's FY 2022 Proposed Operating Budget

MWH/rjb  
enclosures

# Solid Waste Income/Expense Analysis

## 3-year Comparison

	Fiscal Year		
	2018	2019	2020
<b>Revenue</b>			
Trash Bag Sales	63,437.10	75,334.71	61,478.53
Sticker Sales	60,761.08	46,534.20	54,514.07
Brush Recycled	2,450.00	2,807.91	2,297.99
Metal Recycled/Scrap	25,985.83	39,205.64	31,032.55
Construction Debris	40,003.26	43,728.17	33,360.54
Tires/Furniture/Paper/Other	87,051.29	55,035.21	25,611.27
Waste Zero	49,594.00	21,890.00	41,685.00
Fees Collected QB/SQ/MIP	329,282.56	284,535.84	249,979.95
Fees Collected (MIP)	329,282.56	284,535.84	249,979.95
variance =	0.00	0.00	0.00
<b>Expenses</b>			
Wages	123,094.80	129,745.51	134,303.30
Salary Allocation			
Consulting	5,850.00	5,850.00	5,850.00
General Expense	52,625.16	49,486.00	38,726.14
Tipping Fees	132,889.86	130,000.00	135,954.05
Minor Capital	5,000.00	10,000.00	4,500.00
 Expense Total	 319,459.82	 325,081.51	 319,333.49
 Net Surplus/Deficit	 9,822.74	 (40,545.67)	 (69,353.54)

\* This analysis excludes Capital Purchases funded from Cap Stabilization

\*\* This analysis excludes DPW Director Salary Allocation

REVISED: 09/11/2020

## **Warrant, Summary, and Recommendations**

# **TOWN OF GROTON**



## **2020 FALL TOWN MEETING**

**Middle School Track Behind Florence Roche Elementary School  
342 Main Street, Groton, Massachusetts 01450**

**Beginning Saturday, October 3, 2020 @ 10:00 AM**  
(Rain Date: October 4, 2020 @ 1:00 p.m.)

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Attention – Voters and Taxpayers

Please bring this Report to Town Meeting

## **Pandemic Safety Procedures for Town Meeting**

Due to the pandemic, the Fall Town Meeting will be held outdoors on the field behind the Florence Roche School. Voters and non-voters attending the meeting are asked to follow these procedures:

- Attendees should wear masks, even while speaking, and observe social distancing whenever possible.
- Keep at least 6-feet of distance from others while in the voter check-in line.
- Voters should arrive early, check-in, receive a voter card, and proceed directly to a seat.
- A cart will be available for anyone who needs assistance moving from the parking lot to the field.
- Single and household-pair seating will be six or more feet apart and should not be moved. Attendees may bring their own chairs.
- Children may accompany parents who are asked to bring a seat for the child. Families with two or more children are asked to provide their own chairs.
- Voters will speak from their seats when called on by the moderator. Wireless microphones will be brought by an usher and sanitized between uses.
- Voting will be by raised voter card and not by voice.
- Anyone unable to wear a mask may sit in a reserved section with a dedicated microphone.
- At the end of the meeting, voters are asked to observe social distancing while exiting the field.

Rain Date: In the event of inclement weather, the Town Meeting will be held the following day, October 4, at 1 p.m. in the same location. If the Town Moderator postpones the meeting, notice will be made on the town website, posted in three public places, and through news and social media.

Please direct questions regarding the meeting procedures to Jason Kauppi, Town Moderator, at [moderator@townofgroton.org](mailto:moderator@townofgroton.org) or call 978-391-4506.





## **Town Meeting Access for Voters with Disabilities**

**Parking** – Universally accessible parking spaces are available in the parking lot in front of the Groton Dunstable Middle School South.

**Sign Language** – A Sign Language Interpreter will be provided for the hearing impaired, upon request, at least one week prior to the meeting.

**Speaking at Town Meeting** – There will be volunteers available to bring hand-held microphones to voters who have mobility issues or cannot stand in line and wait at the microphones.

**Transportation to Town Meeting** - The Council on Aging van will be available to Groton residents attending Town Meetings at no charge. All riders will be at the meeting prior to the start. The van is wheelchair accessible. Your reservation can be made by calling the Senior Center at 978-448-1170. Seats will be filled on a first come, first serve basis.

**Questions or concerns** - If you or a member of your household has questions or would like to request a sign language interpreter, please contact ADA Coordinator Michelle Collette at Town Hall at 978 448-1105 at least one week before the Town Meeting.

**FALL TOWN MEETING WARRANT  
OCTOBER 3, 2020**

Middlesex, ss.  
Commonwealth of Massachusetts  
To any Constable in the Town of Groton

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn said inhabitants of the Town of Groton qualified to vote on Town affairs to assemble at the Middle School Track behind the Florence Roche Elementary School, 342 Main Street, Groton, Massachusetts in said Town on Saturday, the third day of October, 2020 at Ten O'clock in the morning, to consider the following:

**ARTICLE LISTINGS**

<b>Article 1</b>	Remove Designation of "Sundown" Town for Groton	4
<b>Article 2</b>	Prior Year Bills	4
<b>Article 3</b>	Amend the Fiscal Year 2021 Town Operating Budget	5
<b>Article 4</b>	Amend Fiscal Year 2021 Wage and Classification Schedule	5
<b>Article 5</b>	Transfer within Water Enterprise Fund	6
<b>Article 6</b>	Transfer within Center Sewer Enterprise Fund	6
<b>Article 7</b>	Transfer within the Four Corners Sewer Enterprise Fund	6
<b>Article 8</b>	Transfer Money into the Capital Stabilization Fund	7
<b>Article 9</b>	Transfer Money into the Stabilization Fund	7
<b>Article 10</b>	Transfer Money into the GDRSD Capital Stabilization Fund	7
<b>Article 11</b>	Fiscal Year 2021 Capital Budget	8
<b>Article 12</b>	Stormwater Utility Enterprise Budget	9
<b>Article 13</b>	Environmental Consulting Services	9
<b>Article 14</b>	Complete Streets Engineering	10
<b>Article 15</b>	Assessors Cyclical Inspections	10
<b>Article 16</b>	Community Preservation Funding Accounts	11
<b>Article 17</b>	Community Preservation Funding Recommendations	11
<b>Article 18</b>	Special Legislation – Investment of Town Trust Funds	14
<b>Article 19</b>	Amend Zoning Bylaw – Zoning Cleanup and Clarifications	14
<b>Article 20</b>	Amend Zoning Bylaw – Attached Accessory Apartments	16
<b>Article 21</b>	Amend Zoning Bylaw – Detached Accessory Apartments	17
<b>Article 22</b>	Amend Chapter 128 – Dog Bylaw	19
<b>Article 23</b>	Accept Red Pepper Lane as a Town Way	26
	Report of the Town Manager to the 2020 Fall Town Meeting	28

**ARTICLE 1: REMOVE THE DESIGNATION OF "SUNDOWN TOWN" FOR GROTON**

To see if the Town will vote to establish from October 3, 2020 forward that Groton, Massachusetts rejects wholeheartedly the designation as a "Sundown Town", and further, that Groton, Massachusetts welcomes people of all race, that the Commonwealth of Massachusetts Governor, Secretary of State, Attorney General and General Court be notified that all references and/or laws in State Records that identify Groton as a "Sundown Town" be stricken from the records, along with any Town Bylaw, Town Meeting vote or vote by the Executive Body of Groton, or to take any other action relative thereto.

**SELECT BOARD**

**Select Board:** *Recommended Unanimously*  
**Finance Committee:** *No Position*

**Summary:** *According to research, it has been determined that Groton is one of 17 Towns in the Commonwealth of Massachusetts that is identified as a "Sundown Town". A "Sundown Town" is defined as all-white municipalities or neighborhoods in the United States that practice a form of racial segregation by excluding non-whites via some combination of discriminatory local laws, intimidation, and violence. Entire sundown counties and sundown suburbs were also created by the same process. The term came from signs posted, in some communities across the nation, that instructed non-whites to leave a town or county by sundown. The purpose of this Article is to reject any policies and practices, formal or informal, intended to exclude non-whites from the Town of Groton and to state henceforth our Town welcomes people of all races.*

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**ARTICLE 2: PRIOR YEAR BILLS**

To see if the Town will vote to transfer from available funds a sum or sums of money for the payment of unpaid bills from prior fiscal years, or to take any other action relative thereto.

**SELECT BOARD**

**Select Board:** *Recommendation Deferred Until Town Meeting*  
**Finance Committee:** *Recommended Unanimously*

**Summary:** *Town Meeting approval is required to pay bills from a prior fiscal year. A list of unpaid bills will be provided at Town Meeting. Please see the Town Manager's Report starting on page 28 for additional information related to this Article.*

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**ARTICLE 3:                   AMEND THE FISCAL YEAR 2021 TOWN OPERATING BUDGET**

To see if the Town will vote to amend the Fiscal Year 2021 Operating Budget as adopted under Article 4 of the 2020 Spring Town Meeting and vote to raise and appropriate and/or transfer from available funds a sum or sums of money as may be necessary to defray the expenses of the Town for Fiscal Year 2021, or to take any other action relative thereto.

**FINANCE COMMITTEE  
SELECT BOARD  
TOWN MANAGER**

**Select Board: *Recommended Unanimously***  
**Finance Committee: *Recommended Unanimously***

**Summary:**     *The Fiscal Year 2021 Town Operating Budget was approved at the 2020 Spring Town Meeting in June, 2020. Any changes to this Budget would have to be made prior to setting the tax rate. The purpose of this article is to make any necessary changes to balance the FY 2021 Operating Budget. Please see the Town Manager's Report starting on page 28 for additional information related to this Article.*

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**ARTICLE 4:                   AMEND WAGE AND CLASSIFICATION SCHEDULE**

To see if the Town will vote to amend the Wage and Classification Schedule as adopted under Article 3 of the 2020 Spring Town Meeting as follows:

Call Captain	\$25.00 per hour	Call Lieutenant	\$24.50 per hour
Call Firefighter	\$21.43 per hour	Call EMT	\$21.43 per hour
Probationary Firefighter:	\$17.85 per hour	Probationary EMT	\$17.85 per hour
Veteran's Agent	\$5,000 annually		

or to take any other action relative thereto.

**TOWN MANAGER**

**Select Board: *Recommended Unanimously***  
**Finance Committee: *Recommended Unanimously***

**Summary:**     *When the Town proposed the Wage and Classification Schedule at the Spring Town Meeting for Fiscal Year 2021, the annual salary of the Veteran's Agent and the wages of the various Call Firefighters were not adjusted by a two (2%) percent cost of living adjustment.*

**ARTICLE 5:           TRANSFER WITHIN WATER ENTERPRISE FUND**

To see if the Town will vote to transfer a sum or sums of money from the Water Enterprise Fund Surplus to the Fiscal Year 2021 Water Department Operating Budget for Engineering Services, or to take any other action relative thereto.

**BOARD OF WATER COMMISSIONERS**

**Select Board:** *Recommended (4 In Favor, 1 No Position – Degen)*

**Finance Committee:** *Recommended Unanimously*

**Water Commission:** *Recommended Unanimously*

**Summary:** *This article will request a transfer of funds from Water Surplus to help fund the Fiscal Year 2021 Water Department's Operational Expenses related to Engineering Services for the Whitney Well Manganese Mitigation Project and expansion.*

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**ARTICLE 6:           TRANSFER WITHIN CENTER SEWER ENTERPRISE FUND**

To see if the Town will vote to transfer a sum or sums of money from the Center Sewer Enterprise Fund Surplus to the Fiscal Year 2021 Center Sewer Enterprise Department Budget for general expenses, or to take any other action relative thereto.

**BOARD OF SEWER COMMISSIONERS**

**Select Board:** *Recommended Unanimously*

**Finance Committee:** *Recommended Unanimously*

**Sewer Commission:** *Recommended Unanimously*

**Summary:** *This article will request a transfer of funds from Sewer Surplus to help fund the Fiscal Year 2021 Center Sewer Department's Operational Expenses.*

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**ARTICLE 7:           TRANSFER WITHIN FOUR CORNERS SEWER ENTERPRISE FUND**

To see if the Town will vote to transfer a sum or sums of money from the Four Corners Sewer Enterprise Fund Surplus to the Fiscal Year 2021 Four Corners Sewer Enterprise Department Budget for general expenses, or to take any other action relative thereto.

**BOARD OF SEWER COMMISSIONERS**

**Select Board:** *Recommended (4 In Favor, 1 No Position – Degen)*

**Finance Committee:** *Recommended Unanimously*

**Sewer Commission:** *Recommended Unanimously*

**Summary:** *This article will request a transfer of funds from Sewer Surplus to help fund the Fiscal Year 2021 Four Corners Sewer Department's Operational Expenses.*

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**ARTICLE 8:           TRANSFER MONEY INTO THE CAPITAL STABILIZATION FUND**

To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow pursuant to any applicable statute, a sum or sums of money to be added to the sum already on deposit in the Capital Stabilization Fund, or to take any other action relative thereto.

**SELECT BOARD**

**Select Board: *Recommend to Indefinitely Postpone Consideration***

**Finance Committee: *Recommend to Indefinitely Postpone Consideration***

**Summary:**   *As of the Printing of this Warrant, the Fund has a balance of \$554,313. The financial management goal is to achieve and maintain a balance in the Capital Stabilization Fund equal to 1.5% of the total annual budget. The target amount for the Capital Stabilization Fund will be provided at Town Meeting. Please see the Town Manager's Report starting on page 28 for additional information related to this Article.*

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**ARTICLE 9:           TRANSFER MONEY INTO THE STABILIZATION FUND**

To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow pursuant to any applicable statute, a sum or sums of money to be added to the sum already on deposit in the Stabilization Fund, or to take any other action relative thereto.

**SELECT BOARD**

**Select Board: *Recommend to Indefinitely Postpone Consideration***

**Finance Committee: *Recommend to Indefinitely Postpone Consideration***

**Summary:**   *As of the printing of this Warrant, the balance in this fund is \$2,054,993. The financial management goal is to achieve and maintain a balance in the Fund equal to 5% of the total annual budget. The target amount for the Fund will be provided at Town Meeting. Please see the Town Manager's Report starting on page 28 for additional information related to this Article.*

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**ARTICLE 10:         TRANSFER MONEY INTO THE GDRSD CAPITAL STABILIZATION FUND**

To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow pursuant to any applicable statute, a sum or sums of money to be added to the sum already on deposit in the Town of Groton Capital Stabilization Fund for the Groton Dunstable Regional School District, or to take any other action relative thereto.

**TOWN MANAGER**

**Select Board: *Recommend to Indefinitely Postpone Consideration***

**Finance Committee: *Recommend to Indefinitely Postpone Consideration***

**ARTICLE 11: FISCAL YEAR 2021 CAPITAL BUDGET**

**TOWN MANAGER**

<b>Item #1 – Pick-Up Truck</b>	<b>\$45,000</b>	<b>Highway</b>
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**Select Board: *Recommended Unanimously***  
**Finance Committee: *Recommended Unanimously***

<b>Item #2 – Police Station Siding/Roof Repairs</b>	<b>\$50,000</b>	<b>Town Facilities</b>
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**Select Board: Recommended Unanimously**  
**Finance Committee: Recommended Unanimously**

<b>Item #3 – Police Cruiser</b>	<b>\$56,570</b>	<b>Police Department</b>
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**Select Board: Recommended Unanimously**  
**Finance Committee: Recommended Unanimously**

**TOWN MANAGER**

**ARTICLE 12:           STORM WATER UTILITY ENTERPRISE BUDGET**

To see if the Town will vote to raise and appropriate pursuant to M.G.L. c.83, §16 and/or transfer from Stormwater Facilities User Fees, a sum or sums of money, to be expended by the Town Manager, to operate the Fiscal Year 2021 Stormwater Facilities Utility Enterprise as follows:

Salaries/Benefits	\$ 75,000
Equipment	\$ 30,000
Capital Outlay	\$ 25,000
Compliance Costs	\$ 80,000
Disposal/Expenses	<u>\$ 10,000</u>
Total:	\$220,000

or take any other action relative thereto.

**TOWN MANAGER  
DPW DIRECTOR**

**Select Board: *Recommended (3 In Favor, 2 Deferred – Degen, Pine)***  
**Finance Committee: *Recommended Unanimously***

**Summary:**   *The Spring Town Meeting created the Stormwater Enterprise Fund to provide the Town with a funding source to comply with the requirements of the NPDES MS4 Stormwater Permit Program operated by the US Environmental Protection Agency. The permit program requires the Town to proactively manage its storm drainage system and ensure the protection of its waterways from stormwater pollution. Compliance with the requirements of this program is mandatory. The Select Board has established a Stormwater User Fee to be paid by all properties with impervious surfaces within the Town to cover this expense. The purpose of this Article is to appropriate the necessary funding from the Stormwater Enterprise Utility Fee to cover the Fiscal Year 2021 Expenses.*

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**ARTICLE 13:           ENVIRONMENTAL CONSULTING SERVICES**

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow pursuant to any applicable statute, a sum or sums of money, to be expended by the Town Manager and thereafter, for the purpose of retaining environmental consulting services in support of the demolition of the former Squannacook Sportsmen's Club in West Groton, and all costs associated and related thereto, or to take any other action relative thereto.

**TOWN MANAGER**

**Select Board: *Recommended (3 In Favor, 2 Deferred – Degen, Giger)***  
**Finance Committee: *Recommended Unanimously***



**Summary:** *This funding is for environmental consulting services in support of the demolition of the former Squannacook Sportsmen's Club located at 159 West Main Street. Town Meeting has authorized the Town to obtain this property for additional parking and land for activities for the Groton Center. Prior to obtaining this property, the Town needs to understand the environmental impact of demolishing the former Sportsmen's Club. This funding is necessary to inspect the building and surrounding area and develop a report and recommendations for the building's disposal. Depending on the outcome of the report, the Town will return to a future Town Meeting for the necessary funding to demolish the building and obtain the property. The cost of these services is anticipated to be \$18,000. Should the report come back favorable and the building can be removed, the estimated cost of disposal is \$30,000.*

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#### **ARTICLE 14: COMPLETE STREETS ENGINEERING**

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow pursuant to any applicable statute, a sum or sums of money, to be expended by the Town Manager, for the purpose of hiring an engineer for the design of traffic safety and pedestrian improvements funded by the Commonwealth of Massachusetts "Complete Streets" program, or take any action relative thereto.

#### **COMPLETE STREETS COMMITTEE**

**Select Board: Recommended Unanimously**  
**Finance Committee: Recommended Unanimously**

**Summary:** *The Complete Streets Committee will be applying for a grant from MassDOT to improve pedestrian safety and accessibility improvements in Town. This article will provide funding for the required engineering design of the projects. Projects under consideration at this time include installing a sidewalk from West Groton Center to the new Groton Center on West Main Street and installing a sidewalk on Route 40 from the Groton Inn to the Gibbet Hill Grill. The Town must provide the engineering to design and solicit bids in order to obtain the construction funding. It is anticipated that the cost of this engineering will not exceed \$35,000.*

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#### **ARTICLE 15: ASSESSORS CYCLICAL INSPECTIONS**

To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow a sum or sums of money, to be expended by the Town Manager, for the purpose of starting the cyclical inspection process of inspecting every property in town within the Department of Revenue's five year period guidelines, said inspections to commence in the Fall of 2020 and to continue every year thereafter, or to take any other action relative thereto.

#### **BOARD OF ASSESSORS**

**Select Board: Recommended Unanimously**  
**Finance Committee: Recommended Unanimously**

**Summary:** *The Assessors' Office is required to perform inspections of every property in Town once every five years to comply with Massachusetts Department of Revenue Guidelines.*

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**ARTICLE 16: COMMUNITY PRESERVATION FUNDING ACCOUNTS**

To see if the Town will vote to make the following appropriations from the Community Preservation Fund: Allocation of Community Preservation Funds to the following sub accounts:

CPC Operating Expenses:	\$ 5,000
Open Space Reserve:	\$ 78,490
Historic Resource Reserve:	\$ 78,490
Community Housing Reserve:	\$ 78,490
Unallocated Reserve:	\$544,430

or to take any other action relative thereto.

**COMMUNITY PRESERVATION COMMITTEE**

**Select Board:** *Recommended Unanimously*  
**Finance Committee:** *Recommended Unanimously*  
**Community Preservation Committee:** *Recommended Unanimously*

**Summary:** *This is an accounting procedure that is necessary to ensure the Community Preservation Committee will have access to the funds raised during Fiscal Year 2021. Except for the CPC Operating Expenses, none of these funds will be spent without additional approval at Town Meeting.*

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**ARTICLE 17: COMMUNITY PRESERVATION FUNDING RECOMMENDATIONS**

To see if the Town will vote to adopt and approve the recommendations of the Community Preservation Committee for Fiscal Year 2021, and vote to implement such recommendations by appropriating a sum or sums of money from the Community Preservation Fund established pursuant to Chapter 44B of the General Laws, and by authorizing the Select Board, with the approval of the Community Preservation Committee, to acquire, by purchase, gift or eminent domain, such real property interests in the name of the Town, or enforceable by the Town, including real property interests in the form of permanent affordable housing restrictions and historical preservation restrictions that will meet the requirements of Chapter 184 of the General Laws, as may be necessary or proper to carry out the foregoing, or to take any other action relative thereto.

<b>CPC Proposal A:</b>	<b>Lost Lake/Knops Pond Restoration</b>	<b>\$95,000</b>
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**Summary:** *The Great Ponds Advisory Committee and the Groton Lakes Association have submitted an application for CPA funds to restore Knops Pond/Lost Lake as the non-native weed Fanwort has reached a tipping point that requires treatment before infestation reduces the surface water quality and substantially reduces the recreational potential of Groton's largest water resource. The full amount to be paid from the Unallocated Reserve.*

**Select Board:** *Recommended (4 In Favor, 1 Deferred – Manugian)*  
**Finance Committee:** *Recommended Unanimously*  
**Community Preservation Committee:** *Recommended Unanimously*

**CPC Proposal B: Conservation Fund**

**\$221,000**

**Summary:** *The Conservation Commission is requesting \$221,000 in CPA funds to be added to the Town's Conservation Fund to help preserve open space, protect water resources and wildlife habitat, and preserve land for agricultural, recreational, and forestry activities. The Conservation Fund allows the Town to move quickly in the event a priority parcel becomes available. The Commission's goal is to maintain an amount between \$750,000 and \$1,000,000 in the Conservation Fund. As of February 18, 2020, the Conservation Fund balance is \$101,232. The amount of \$2,000 to be paid from the Open Space Reserve and the amount of \$219,000 to be paid from the Unallocated Reserve.*

**Select Board:** *Recommended (4 In Favor, 1 Against – Manugian)*

**Finance Committee:** *Recommended Unanimously*

**Community Preservation Committee:** *Recommended Unanimously*

**CPC Proposal C: Portrait Restoration**

**\$11,400**

**Summary:** *The Groton History Center is requesting \$11,400 to restore framed portraits of individuals who lived in Groton in the late 1700s and early 1800s. They would like to provide their visitors with access to these interesting individuals and their back story to enrich their knowledge of Groton's history. All three portraits were painted by distinguished portrait painters of their time: A. L. Powers and Lyman Emerson Cole, both of whom have portraits hanging in museums. The full amount to be paid from the Historic Reserve.*

**Select Board:** *Recommended Unanimously*

**Finance Committee:** *Recommended Unanimously*

**Community Preservation Committee:** *Recommended Unanimously*

**CPC Proposal D: Library Pocket Doors**

**\$10,500**

**Summary:** *The Library has a set of solid oak pocket doors in the historic 1893 building that cannot be used because the hanging and sliding hardware is broken. The Board of Library Trustees is requesting \$10,500 to replace the hardware and restore this beautiful feature to functional use. The full amount to be paid from the Historic Reserve.*

**Select Board:** *Recommended Unanimously*

**Finance Committee:** *Recommended Unanimously*

**Community Preservation Committee:** *Recommended Unanimously*

**CPC Proposal E: Hazel Grove**

**\$9,242**

**Summary:** *The Hazel Grove Agricultural Association has submitted this application for funding to make capital improvements on the viewing tower and storage shed. This funding will allow them to update the viewing tower with new siding, roof, shutters, locking door, flooring and a ladder for second floor access. This building is used as a safety viewing platform, shelter and storage. The storage shed will be updated with a new roof, electrical service and two new windows. The full amount to be paid from the Open Space Reserve.*

**Select Board:** *Recommended Unanimously*

**Finance Committee:** *Recommended Unanimously*

**Community Preservation Committee:** *Recommended Unanimously*

**CPC Proposal F: WWI Cannon Restoration**

**\$15,000**

**Summary:** *The Celebrations and Commemorations Committee submitted this application to complete the process of restoring the "Cannon de 75 mle 1897", a gift to the Town of Groton from the U.S. Army in 1919 at the dedication of the Lawrence W. Gay Post 55. The Cannon has resided at Legion Common for the last 100 years in honor of Lawrence W. Gay who was killed in action just days prior to the signing of the Armistice ending hostilities of World War I. In recent years the cannon has suffered from the effects of weather, fallen into disrepair and become a safety issue. The Town's portion of the project includes sandblasting, repainting and replacement of the oak spoked wheels. The full amount to be paid from the Historic Reserve.*

**Select Board: Recommended (3 In Favor, 2 Against – Manugian, Degen)**

**Finance Committee: Recommended Unanimously**

**Community Preservation Committee: Recommended Unanimously**

**CPC Proposal G: Recreation Station at Cow Pond Brook**

**\$99,500**

**Summary:** *The Groton Park Commissioners approved a CPC Application for Cow Pond Brook Fields. The nature of the application is to perform a feasibility study to investigate safety improvements to the Recreation Area. This study will undertake traffic flow, parking, water and irrigation sources and an all-encompassing recreational building that will serve the needs of the user groups. The request is for \$99,500 with a cap of \$20,000 should any part of the study prove unfeasible. The amount of \$40,000 to be paid from the Open Space Reserve and the amount of \$59,500 to be paid from the Unallocated Reserve.*

**Select Board: Not Recommended (3 Against, 1 In Favor – Giger, 1 Deferred – Pine)**

**Finance Committee: Recommendation Deferred (6 Deferred, 1 In Favor – Doody)**

**Community Preservation Committee: Recommended (5 In Favor, 1 Against – DeGroot)**

**CPC Proposal H: Emergency Rental Assistance**

**\$200,000**

**Summary:** *The Affordable Housing Trust submitted this application for funding to establish an emergency rental assistance program for the benefit of eligible tenants residing in the Town of Groton. This program will provide as much as four months of rental assistance for tenants earning up to 80% of the area median income. Landlord participation is required and the program is expected to run until funds are expended or June 30, 2022 at the latest. The full amount to be paid from Community Housing Reserve.*

**Select Board: Recommended Unanimously**

**Finance Committee: Recommended Unanimously**

**Community Preservation Committee: Recommended Unanimously**

**COMMUNITY PRESERVATION COMMITTEE**

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**ARTICLE 18: SPECIAL LEGISLATION – INVESTMENT OF TOWN'S TRUST FUNDS**

To see if the Town will petition the Senate and House of Representatives of the Commonwealth of Massachusetts to enact special legislation authorizing the Treasurer of the Town of Groton to invest the Town's Trust Funds, notwithstanding section 54 of chapter 44 of the General Laws or any other general or specific law to the contrary with the Massachusetts Prudent Investor Act, codified in Chapter 203C of the General Laws as follows:

**AN ACT AUTHORIZING CERTAIN INVESTMENTS BY THE TREASURER OF THE TOWN OF GROTON.**

**Section 1.** Notwithstanding any general or special law to the contrary, the treasurer of the town of Groton may invest any trust funds of the town in the custody of the treasurer in accordance with sections 3, 4, 5, 8 and 9 of chapter 203C of the General Laws and in accordance with the town of Groton cash and investment policy. The policy may be amended by the select board of the town of Groton from time to time.

**Section 2.** Section 54 of chapter 44 of the General Laws shall not apply to the town of Groton.

**Section 3.** This act shall take effect upon its passage.

or to take any other action relative thereto.

**COMMISSIONERS OF TRUST FUNDS**

**Select Board:** *Recommended Unanimously*  
**Finance Committee:** *Recommended Unanimously*  
**Commissioners of Trust Funds:** *Recommended Unanimously*

**Summary:** *MGL Ch. 44, s.54 pertains to the Investment of Trust Funds. All trust funds shall fall under the control of the Treasurer. This article will allow the Treasurer to invest the Town's Trust Funds with more flexibility than previously allowed, while still conforming to Massachusetts General Law. This flexibility will be limited to provisions contained in the Investment Policy of the Town. The standard of care to be used by the Treasurer shall be the 'Prudent Person' standard set forth in MGL Ch. 203C and shall be applied in the context of managing an overall portfolio.*

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**ARTICLE 19: AMEND ZONING BYLAW – SITE PLAN REVIEW**

To see if the Town will vote to amend the Code of the Town of Groton, Chapter 218 Zoning as follows:

1. In Section 218-2.5, Site Plan Review, by deleting Item (b) of Paragraph C, Threshold of Review, Part (1) Minor site plan review, which reads as follows:
  - (b) Construction of an addition or any other alteration of up to 1,000 square feet gross floor area to an existing commercial, office, industrial, or institutional use, or structure for such use.

And by inserting in its place the following:

- (b) Construction of a new building, an addition, change of use, or any other alteration of up to 1,000 square feet gross floor area to an existing commercial, office, industrial, or institutional use, or structure for such use.
2. In Section 218-2.5, Site Plan Review, by deleting Items (a) and (b) of Paragraph C, Threshold of Review, Part (2) Major, which read as follows:
- (a) Construction, enlargement or alteration of a parking area resulting in six or more new parking spaces.
  - (b) Construction of a new building or an addition or any other alteration that exceeds 1,000 square feet of aggregate gross floor area which includes all floors of all buildings on the premises, to an existing commercial, office, industrial, or institutional use or structure.

And by inserting in their place the following:

- (a) Construction, enlargement, or change of use resulting in the construction or alteration of a parking area resulting in six or more new parking spaces.
  - (b) Construction of a new building or an addition, a change in use, or any other alteration that exceeds 1,000 square feet of aggregate gross floor area which includes all floors of all buildings on the premises, to an existing commercial, office, industrial, or institutional use or structure.
3. In Section 218-9.3 Multifamily Use, Subsections 218-9.3.A., 218-9.3.B.(1) and 218-9.3B. (2) delete the words "**Board of Appeals**" and insert the words "**Planning Board**".

or to take any other action relative thereto.

## **PLANNING BOARD**

**Select Board: *Recommendation Deferred Until Town Meeting***  
**Finance Committee: *No Position***

**Summary:** *The purpose of these amendments is to clarify the thresholds for Site Plan Review, resolve a discrepancy in the bylaw as it relates to the Multifamily Use provisions, and to correct a sub-sectional reference. Specifically: 1) The proposed amendment #1 clarifies that the provisions of Minor Site Plan Review apply to a change of use. 2) The proposed amendment #2 clarifies that the provisions of Major Site Plan Review apply to a change of use. 3) The proposed amendment #3 corrects an internal inconsistency in the Zoning bylaws that dates to the adoption of Article 19 at the 2014 Annual Town Meeting. As part of a comprehensive update of the Zoning Bylaws to implement the recommendations of the Comprehensive Master Plan adopted in 2012, the Schedule of Use Regulations was amended. Among the various amendments, the Planning Board was designated as the Special Permit Granting Authority (SPGA) for "Multifamily Uses as allowed by the provisions of Sections 218-27A through 27C" (now Sections 218-9.3 A through C).*

*However, Article 19 failed to update the corresponding language of the cross-referenced Sections A and B, leaving intact the SPGA reference in those sub-sections as the Zoning Board of Appeals not the Planning Board as intended in the Schedule of Use amendment. The proposed amendment to Sections 218-9.3 A and B remedies the regulatory inconsistency by inserting the correct SPGA as intended by the adoption of Article 19 at the 2014 Annual Town Meeting.*

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**ARTICLE 20:           AMEND ZONING BYLAW – ATTACHED ACCESSORY APARTMENT**

To see if the Town will vote to amend the Zoning Bylaw by deleting Section 218-9.4 in its entirety and replacing it with the following:

**1)       218-9.4       Attached Accessory Apartment**

**218-9.4.1       Purpose**

- a. To provide homeowners of a single-family dwelling larger than required for present needs with a means of sharing space and the burdens of home ownership, companionship, security, and services, thereby enabling them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave.
- b. Develop housing units in single family neighborhoods that are appropriate for households at a variety of stages in their life cycle.
- c. Provide small additional housing units for rent without substantially altering the appearance of the Town
- d. Provide housing units for persons with disabilities.
- e. Protect stability, property values, and the residential character of a neighborhood

**218-9.4.2       Attached Accessory Apartment**

Use of an accessory apartment, an independent dwelling unit not to exceed eight hundred (800) square feet contained within a single-family house. The unit shall have a separate entrance, a kitchen/living room, a bathroom and a maximum of two bedrooms. Either unit shall be occupied by the owner. The gross floor area shall include the interior finished habitable area to be used exclusively for the accessory apartment.

One Accessory apartment shall be allowed by right in the RA and RB Districts providing the following criteria are met:

- a. The accessory apartment shall conform to the provisions of Title V of the State Sanitary Code, 310 CMR 15.00, and applicable regulations of the Groton Board of Health.
- b. Approval from the Fire Department.
- c. Building, plumbing, electrical and any other required permits are obtained.
- d. The accessory apartment is contained within a single-family dwelling. Attached accessory apartments shall not be permitted on lots that contain two or more dwellings.
- e. All staircases required to access an accessory apartment must not change the general appearance of a single-family house.
- f. Space may be provided by either raising the roof, or extending the dwelling, but only in accordance with current height and setback requirements.

- g. To maintain the single-family character of the neighborhood, the entrance to the accessory apartment should be on the side or rear, if possible, but may be through the front door, if there is a vestibule.
- h. The owner of the property must occupy one of the two units as a permanent residence.
- i. Accessory Apartments are not permitted on lots which have two or more dwellings.
- j. Accessory apartments shall be occupied by no more than 2 permanent residents.
- k. Sufficient and appropriate area for at least one additional parking space shall be provided by the owner to serve the accessory apartment. Said parking space shall be constructed of materials consistent with the existing driveway and, to prevent on-street parking, and shall have vehicular access to the driveway,
- l. The footprint of the structure in which the accessory apartment is to be located shall not be increased by more than 800 square feet and shall retain the appearance of a single-family structure. Any such increase in the footprint shall not exacerbate an existing nonconformity nor create a new nonconformity,
- m. The provisions of MGL C. 40A, § 3 shall apply to any accessory apartments intended for occupancy by a person with a disability relative to access ramps used solely for the purpose of facilitation ingress and egress to person with physical limitations as defined in MGL C 22, § 13A."

or take any action relative thereto

### **PLANNING BOARD**

**Select Board:** *Recommended (4 In Favor, 1 Deferred – Degen)*

**Finance Committee:** *No Position*

**Summary:** *The purpose of this zoning amendment is to allow attached apartments by right as an accessory use in a single-family house. Under the current zoning bylaw, attached accessory apartments require a special permit issued by the Zoning Board of Appeals. While this proposed amendment changes and reorganizes the language in the current bylaw, the only substantive change is to delete the special permit requirement.*

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### **ARTICLE 21:           AMEND ZONING BYLAW – DETACHED ACCESSORY APARTMENT**

To see if the Town will vote to amend the Zoning By-Law of the Town of Groton by adding the following Section

#### **218-9.4.3       Detached Accessory Apartment**

The Planning Board acting as the Special Permit Granting Authority may issue a Special Permit authorizing the installation and use of a detached-accessory apartment in a detached structure on a lot containing a single-family dwelling provided the following conditions are met:

- A. Conditions a–c, e, h, and j–m of Section 218-9.4.2 are met



- B. A plot plan of the existing dwelling unit and proposed accessory apartment shall be submitted to the Special Permit Granting Authority, showing the location of the building on the lot, the proposed accessory apartment, location of any septic system and required parking
- C. The detached accessory apartment shall be a complete, separate housekeeping unit containing a kitchen/living room, a bathroom and a maximum of two bedrooms. Detached accessory apartments shall not be permitted on lots that contain two or more dwellings.
- D. Off-street parking spaces shall meet the requirements of Section 218- 8.1 of these bylaws.
- E. Any new construction shall be in accordance with current height and setback requirements for the district in which it is located.
- F. No special permit shall be granted without a condition that the accessory apartment shall conform to the provisions of Title V of the State Sanitary Code, 310 CMR 15.00, and applicable regulations of the Groton Board of Health.
- G. Any property that has been granted a Special Permit for a detached accessory apartment shall not be further divided unless all zoning requirements can be met for the district in which it is located.
- H. Prior to approval of a Special Permit for a detached accessory apartment the Board shall make the following findings:
  - 1. The detached accessory apartment will not impair the integrity or character of the neighborhood in which it is located.
  - 2. The detached accessory apartment will provide housing opportunities in conformance with the purpose of this Section.

or take any action relative thereto

### **PLANNING BOARD**

**Select Board: *Recommended (3 In Favor, 1 Against – Degen, 1 Deferred – Pine)***  
**Finance Committee: *No Position***

**Summary:** *The purpose of this zoning amendment is to allow detached apartments by special permit of the Planning Board as an accessory use to a single-family house. Detached accessory apartments are not allowed under the current zoning bylaw.*

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## **ARTICLE 22:           AMEND CHAPTER 128 - DOGS**

To see if Town will vote to amend the Code of the Town of Groton by deleting Chapter 128, "Dogs" in its entirety and replacing it with a new Chapter 128, "Dogs", to read as follows:

### **§ 128-1 Definitions**

As used in this chapter, the following terms shall have the meanings indicated:

#### **Abandon**

A dog is considered abandoned within the meaning of this chapter when it has been left alone or unattended by the owner for any period greater than 24 hours without the owner providing for its needs.

#### **Animal Control Officer**

An appointed officer authorized to enforce M.G.L. c. 140, sections 136A to 174F, inclusive.

#### **Attack**

Aggressive physical contact initiated by an animal.

#### **At Large**

Off the premises of the owner and not under the physical control of the owner or keeper.

#### **Complainant**

Any person, including the Animal Control Officer, who makes a complaint regarding an animal committing a violation under this chapter. In the case where the complaint is from other than the Animal Control Officer, it shall be in writing, using the Groton Dog Incident Complaint Form.

#### **Complaint**

A formal written report of a dog incident using the Groton Dog Incident Complaint Form.

#### **Dangerous Dog**

A dog that either: (i) without justification, attacks a person or domestic animal causing physical injury or death; or (ii) behaves in a manner that a reasonable person would believe poses an unjustified imminent threat of physical injury or death to a person or to a domestic or owned animal. No dog shall be deemed to be a dangerous dog if any of the circumstances provided in M.G.L. c. 140, § 157(a) apply.

#### **Domestic Animal**

An animal designated as domestic by regulations promulgated by the department of fish and game.

#### **Euthanize**

Take the life of an animal by the administration of barbiturates in a manner deemed acceptable by the American Veterinary Medical Association Guidelines on Euthanasia.

**Hearing Authority**

The Town Manager or the chief of police, or the person charged with the responsibility of handling dog complaints.

**Keeper**

A person, business, corporation, entity or society, other than the owner, having possession of a dog.

**Nuisance Dog**

A dog that: (i) by excessive barking or other disturbance, is a source of annoyance to a sick person residing in the vicinity; or (ii) by excessive barking, causing damage or other interference, a reasonable person would find such behavior disruptive to one's quiet and peaceful enjoyment; or (iii) has threatened or attacked livestock, a domestic animal or a person, but such threat or attack was not a grossly disproportionate reaction under all the circumstances.

**Owner**

Any person, group of persons or corporation owning, keeping or harboring a dog or dogs. The owner is responsible for a dog's actions at all times.

**License**

A valid and current municipal dog license and dog license tag.

**Physical Control**

Control of a dog with a restraint.

**Public Disturbance**

Any dog shall be deemed a public disturbance when such dog is engaged or has engaged in any combination of one or more of the following activities. Each instance of a public disturbance is considered to be a violation. Each day of a violation is determined to be a separate violation.

- A. Destroying, disturbing or otherwise molesting the property, including refuse, of another while outside the property of its owner, whether under such owner's physical control or not.
- B. Being upon any public park, playground schoolyard, beach or in any place to which the public has a right of access while not under the physical control of its owner or keeper. The determination of physical control shall be that of the Animal Control Officer.
- C. Being a dog, which is permitted to run unrestrained at large. The running of hunting dogs, certified service dogs and search and rescue dogs shall not constitute a public disturbance hereunder. The exercising of other dogs which are under the physical control of their owner or keeper shall not constitute a public disturbance hereunder, providing permission of the landowner has been obtained.
- D. Being upon any public way or in any place to which the public has a right of access, chasing motor vehicles, bicycles or pedestrians.
- E. Being an unspayed female or unneutered male at large.
- F. Being over the age of six months and not wearing a suitable collar and current municipal dog license tag issued for it and while not on the property of the owner.
- G. Being a dog which has been abandoned.

- H. Being a dog which deposits solid waste not removed, or not properly disposed of, by the dog's owner or agent upon any public park, playground, schoolyard, beach, public or private way sidewalk, in any place to which the public has a right of access or any property other than that of its owner.

### **Restraint**

The control of a dog by physical means, such as a leash, fence or other means of physically confining or restraining a dog.

### **Restraint Order**

Order to confine or restrain a dog with conditions determined by the Animal Control Officer.

### **§ 128-2 Public Disturbances Prohibited**

No owner of any dog shall, while such dog is within the confines of the Town of Groton, allow such dog to be a public disturbance as defined above.

### **§ 128-3 Enforcement**

Nothing contained in this bylaw shall prevent the Select Board from passing any orders authorized by law at such times as the Board shall deem it necessary to safeguard the public.

### **Public Disturbances**

- A. In all cases it shall be the duty of the duly appointed Animal Control Officer to investigate any violation under §128-2 of this chapter either witnessed by a police officer or the Animal Control Officer or reported in a written and sworn complaint. The Animal Control Officer shall provide the dog owner and the complainant with a written copy of the complaint and investigation report not more than seven days after the conclusion of the investigation, but in any event, not more than 30 days after receiving the complaint.
- B. If, after the Animal Control Officer's investigation of an alleged violation under § 128-2 of this chapter, such officer has reason to believe that the described violation did in fact occur as set forth in said written complaint or as witnessed by him/her or a police officer, it shall be the Animal Control Officer's duty to issue the owner, in writing, the appropriate order and/or to impose the appropriate fine designed to prevent a recurrence or continuation of such violation. The period of time during which the order shall be in effect shall be on the order. If the complainant and the owner involved agree with the order so issued, then the matter respecting that particular violation under this chapter shall be considered resolved. If the parties are not in agreement, then recourse can be had to the remedies of each under provisions of law.
- C. In all cases it shall be the duty of the Animal Control Officer, if, in his/her opinion, appropriate action is necessary to prevent further or continued violations of § 128-2 of this chapter pending a complete investigation, to take the following action:
  - (1) Notify the owner, if known and available, of the alleged violation, and issue a preliminary order, in writing, requiring the owner to take appropriate action, pending a complete investigation.
  - (2) If the owner is not known or, if known, is not immediately available:
    - (a) Take the dog into custody in the most humane manner possible.
    - (b) Confine the dog in a suitable facility.

- (c) Use every means available to identify and contact the owner.
  - (d) Take such further action as is allowed by law.
- D. It shall be the responsibility of the owner of any dog impounded under the provisions of Subsection C(2)(b) to reclaim such dog subject to the following criteria: The owner shall pay the Animal Control Officer such sum as is established by the Select Board by regulation for taking the dog into custody and a further sum for room and board as determined by regulations promulgated by the Select Board.
  - (1) The owner of the dog shall also be responsible for costs incurred by the Town or Animal Control Officer for reasonable and customary care of the dog while in the custody of the Animal Control Officer.
  - (2) The owner shall have in his possession a license and related tag for the dog, both of which shall have been issued with respect to the dog. The license tag shall be attached to the dog by a suitable collar before the dog is released from the custody of the Animal Control Officer.
- E. Disposition of dogs - If an unclaimed dog has been in the custody of the Animal Control Officer for more than seven days, the Animal Control Officer may euthanize the dog in accordance with applicable provisions of Massachusetts law. The owner shall be responsible for any costs incurred in the keeping and disposition of the dog.

#### **Nuisance or Dangerous Dog Complaints**

- A. Any person may file a written complaint with the Select Board and Town Manager, or their designee that a dog kept in the Town is a nuisance or a dangerous dog. All such complaints must be signed and include an address and contact information for the complainant.
- B. Hearing Authority. The Town Manager is designated by the Select Board as the "Hearing Authority" to oversee the process of responding to all nuisance or Dangerous Dog Complaints. The Town Manager may further designate another Town Employee as the Hearing Authority when necessary.
- C. Disposition. The Hearing Authority shall investigate or cause to be investigated the complaint, including an examination under oath of the complaint at a hearing. Based on credible evidence and testimony presented at the hearing, the Hearing Authority shall take the following action:
  - (1) **Nuisance Dog.** If the dog is complained of as a nuisance dog, the Hearing Authority shall either (a) deem the dog a nuisance dog; or (b) dismiss the complaint.
  - (2) **Dangerous Dog.** If the dog is complained of as a dangerous dog, the Hearing Authority shall either (a) deem the dog as a dangerous dog; (b) deem the dog a nuisance dog; or (c) dismiss the complaint.
- D. Report to Town Clerk. The Hearing Authority shall notify the Town Clerk of any complaints filed and shall report any finding that a dog is a nuisance dog or a dangerous dog to the Town Clerk.

- E. Order valid throughout the Commonwealth. Unless later overturned on appeal, any order of the Hearing Authority shall be valid throughout the Commonwealth of Massachusetts.
- F. Remedies.
1. Nuisance dog. If the Hearing Authority has deemed the dog a nuisance dog, it may order the owner or keeper of the dog to take remedial action to ameliorate the cause of the nuisance behavior.
  2. Dangerous dog. If the Hearing Authority has deemed the dog a dangerous dog, it may order one or more of the following remedies:
    - (a) that the dog be humanely restrained, but no order shall require the dog to be chained or tethered to an inanimate object such as a tree, post or building;
    - (b) that the dog be confined to the premises of the owner or keeper, meaning securely confined indoors or confined outdoors in a securely enclosed pen or dog run area that has a secure roof, has either a floor secured to all sides or is embedded into the ground for at least two feet, and provides the dog with proper shelter from the elements.
    - (c) when removed from the premises of the owner or keeper, the dog be securely and humanely muzzled and restrained with a tethering device with a maximum length of three feet and a minimum tensile strength of three hundred pounds;
    - (d) that the owner or keeper provide (i) proof of insurance of at least \$100,000 insuring the owner or keeper against any claim, loss, damage, or injury to persons, domestic animals, or property resulting from the intentional or unintentional acts of the dog; or (ii) proof that reasonable efforts were made to obtain such insurance;
    - (e) that the owner or keeper provide the Town Clerk, the Animal Control Officer, or other entity as directed with identifying information for the dog including but not limited to photographs, videos, veterinary records, tattooing, microchip implantations or a combination of these;
    - (f) that the dog be altered so as not to be reproductively intact, unless the owner or keeper provides evidence of a veterinary opinion that the dog is medically unfit for such alteration; or
    - (g) that the dog be humanely euthanized.
- G. Restrictions following dangerousness finding:
1. No dog that has been deemed dangerous shall be ordered removed from the Town.
  2. Issuance of temporary restraint orders. The Animal Control Officer may issue a temporary restraint order to the owner or keeper of any dog that is alleged to be a nuisance dog or a dangerous dog and is awaiting a decision under § 133-8. A temporary restraint order shall be in force for no more than 30 days unless the Animal Control Officer renews it in writing for subsequent thirty-day period. The Animal Control Officer may rescind or stop renewing the order when, in the Animal Control Officer's judgment, restraint is no longer required. The Animal

Control Officer's order shall expire upon receipt of a decision from the Hearing Authority on the nuisance dog or dangerous dog hearing.

H. Appeals

The Hearing Authority's initial decision shall become effective upon filing said decision with the Town Clerk. The owner or keeper of a dog may appeal the initial decision of the Hearing Authority to the Select Board within ten (10) days of the decision being filed with the Town Clerk. The Select Board shall review the decision in open session and determine whether or not to modify or uphold the decision. The Select Board may conduct a further hearing or accept additional evidence as the Board deems appropriate. An owner or keeper may further appeal the Select Board's final action to the district court pursuant to M.G.L. c. 140 § 157.

**§ 128-4 License required, penalty**

- A. Pursuant to Chapter 140, § 173, of the Massachusetts General Laws, any person who fails to register, number, describe and license his or her dog annually by January 1 in the Town of Groton, Middlesex County, and pay the fees and charges under rules and regulations pursuant to Chapter 140, § 139 will be required to pay to the Town of Groton a penalty after the last day of February annually, in accordance with a Fee/Fine Schedule established by the Select Board. By virtue of the Town's acceptance of the applicable provision of Section 139 of Chapter 140 of the General Laws, no fee shall be charged for a license for a dog owned by a person aged 70 years or over, unless the dog is identified as a dangerous dog.
- B. Failure to comply with this section shall constitute a violation of § 128-2 and may subject the owner of any unlicensed dog to financial penalties as are allowed by this chapter or as provided for in regulations promulgated by the Select Board.
- C. All monies received by the Town Clerk's office for the issuance of dog licenses or other fees, fines, charges, and penalties under § 147 of Chapter 140 of the Massachusetts General Laws and this chapter shall be paid into the treasury of the Town.

**§ 128-5 Violations and penalties.**

- A. Except as otherwise provided by existing statute or in this chapter, any person who violates this chapter shall be subject to the payment of a penalty in the amount of \$50 for each violation and for each day of violation, to be recovered for the use of the Town.
- B. The owner of any dog which is in violation of § 128-2 may be subject to this penalty whether such dog is in the custody of the Animal Control Officer or not. As an alternative to criminal prosecution, the Animal Control Officer and Town Police Officers, as enforcing persons under this chapter, may enforce this chapter and orders issued hereunder pursuant to the noncriminal disposition statute, M.G.L. C. 40, § 21D and the Town Code, Chapter 1, Article I, § 1-4B(2). When so enforced, the fines shall be as follows:

1. Penalties for public nuisance violations
  - a. First violation \$50
  - b. Second violation \$75
  - c. Third and subsequent violations \$100
2. Fees for dogs in the custody of the Animal Control Officer
  - a. Fee for dog pick up \$25
  - b. First calendar day board \$25
  - c. Second and subsequent calendar day board \$40
3. Annual dog licensing fee (between January 1 and February 28)
  - a. Neutered or spayed dogs \$10
  - b. Unaltered dogs \$15
  - c. Kennel license:
    - i. Up to 4 dogs \$40
    - ii. 5 to 9 dogs \$70
    - iii. 10 or more dogs \$100
4. Dangerous dog license \$300

or to take any other action relative thereto.

**SELECT BOARD  
TOWN MANAGER**

**Select Board: *Recommended Unanimously***  
**Finance Committee: *No Position***

**Summary:** *The purpose of this Article is to bring the Town's Dog Bylaw into compliance with State Law. It was determined that certain sections of the current Bylaw, including the remedies related to a finding that a dog is dangerous, are not in compliance with State Law. In addition, it also adds a new finding for a nuisance dog.*

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**ARTICLE 23:           ACCEPTANCE OF RED PEPPER LANE AS A PUBLIC WAY**

To see if the Town will vote to accept Red Pepper Lane as a public way, as recommended by the Planning Board and laid out by the Select Board and as shown on a plan entitled "Red Pepper Lane Street Acceptance Plan in Groton, Massachusetts," prepared by Land Engineering and Environmental Services, Inc., Tyngsboro, MA for Reedy Meadow, LLC, Tyngsboro, Massachusetts, dated January 30, 2020, and on file with the Town Clerk; to authorize the Select Board to acquire, by gift, purchase or eminent domain such land and easements for the creation, maintenance and operation of a public way, including but not limited to easements for access, grading, drainage, sloping, construction and utilities, in all or any portions of such way and the parcels on such way, or to take any other action relative thereto.

**SELECT BOARD**

**Select Board:** *Recommendation Deferred Until Town Meeting*  
**Finance Committee:** *No Position*

**Summary:**    *To accept Red Pepper Lane as a Town Way.*

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Hereof fail not and make return of your doings to the Town Clerk on or before time of said meeting.

Given under our hands this 14<sup>th</sup> Day of September in the year of our Lord Two Thousand Twenty.

*Alison S. Manugian*

Alison S. Manugian, Chair

*Joshua A. Degen*

Joshua A. Degen, Vice Chair

*Rebecca H. Pine*

Rebecca H. Pine, Clerk

*John R. Giger*

John R. Giger, Member

*John F. Reilly*

John R. Reilly, Member

#### OFFICERS RETURN

Groton, Middlesex

Pursuant to the within Warrant, I have this day notified the Inhabitants to assemble at the time, place, and for the purpose mentioned as within directed. Personally posted by Constable.

\_\_\_\_\_  
Constable

\_\_\_\_\_  
Date Duly Posted

## REPORT OF THE TOWN MANAGER TO THE 2020 FALL TOWN MEETING

The 2020 Fall Town Meeting Warrant contains several warrant articles that seek appropriations, some of which will affect the Tax Rate and some of which will have no further impact on taxes. The purpose of this report is to provide the residents and taxpayers with a summary of these articles and what impact they will have on the Fiscal Year 2021 Tax Rate. In preparing for the Fall Town Meeting, the Select Board and Finance Committee reviewed the balances in the various reserve accounts. These accounts will either be used to fund the various articles, or money will be added to them to comply with the Town's Financial Policies. The balances are as follows:

Stabilization Fund:	\$2,054,993
Capital Stabilization Fund:	\$ 554,313
GDRSD Capital Stabilization Fund:	\$ 235,046
Unexpended Tax Capacity:	\$ 295,647
Ambulance Receipts:	\$ 60,434
Certified Free Cash:	\$1,087,033

The following is a summary of Warrant Articles requesting funding:

### **Article 2: Unpaid Bills**

**Requested: \$610**

There are two unpaid bills totaling \$610 that came in after the close of Fiscal Year 2020 that will require Town Meeting approval. One is for the temporary sanitary facility located at the Lost Lake Boat Ramp (\$160) and the other is for the Annual Stipend for the Board of Registrars (\$450). This will be funded from Free Cash.

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### **Article 3: Amend the FY 2021 Operating Budget**

**Requested: \$86,620**

This Article will request the following adjustments in the Operating Budget:

1. Town Manager Salaries – Based on the Town Manager's Annual Performance Review, the Town Manager will receive a one-time payment of \$4,415. This will be funded from Free Cash.
2. Elections and Board of Registrars Expenses – Due to changes in State Law governing elections, an additional appropriation of \$10,000 is needed to cover expenses. This will be funded from Free Cash.
3. Postage/Town Hall Expenses – Similar to Elections and Board of Registrars Expenses, due to changes in State Law governing elections, the postage budget has increased significantly. An additional appropriation of \$10,000 is needed to cover this increase. This will be funded from Free Cash.

4. Insurance – Due to the construction of the new Center in West Groton and the new DPW Garage, the Town has seen a significant increase in its property and casualty insurance premium for Fiscal Year 2021. This coupled with anticipated changes based on registering a new Police Cruiser, Fire Truck and Ambulance will cause a shortfall of \$20,000 in this line item. Since these increases will require a permanent increase in our insurance premiums, this funding will come from Unexpended Tax Capacity.
5. Fire Department Expenses – The Fire Department has seen a major increase in repairs to its two ambulances, as well as repairs to Engine 1 which has depleted the Maintenance Line Item. To cover this increase in repairs, an additional \$20,000 is needed to cover the remaining of the Fiscal Year. In addition, in 2015, the Groton Fire Department began to use Ambupro EMS software. This software provides state and nationally required documentation for patient care records as well as providing information necessary for billing. Over the past several years, the reliability with the billing portion of this software has been inconsistent. This inconsistency has resulted in numerous insurance providers not being billed costing the town EMS revenues. While most of these lost revenues have been recovered, the issues have not been resolved leaving the reliability in question. In May/June of 2020 after major billing issues, the Groton Fire Department began to look at new vendors to provide EMS reporting software. Following evaluation and checking of references, they arrived at ESO as its selection. This software has a better and more streamlined billing process and comes highly recommended by other agencies for its reliability. The cost of the software is \$6,205. Therefore, the total request for the Fire Department is \$26,205. To fund these issues, \$20,000 will come from Unexpended Tax Capacity and \$6,205 will come from Ambulance Receipts Reserved for Appropriation.
6. Solid Waste Disposal – Tipping Fees – This line item will need an additional \$40,000. There was a one-time cost of \$20,000 to grind down and dispose of all the debris caused by the microburst and the Department is anticipating a \$20,000 shortfall due to increase in the amount of trash received. This increase may be attributed to more people staying in their homes due to the pandemic which has increased the amount of trash generated in the various households. To fund this increase, \$20,000 will come from Free Cash and \$20,000 will come from unexpended tax capacity.
7. Country Club Wages and Expenses – Due to not having the camp this summer, wages will be reduced by \$15,000 and expenses by \$9,000 for a total reduction of \$24,000 in the Country Club Budget.

The following is a summary of funds proposed for this Article:

Free Cash:	\$44,415
Unexpended Tax Capacity:	\$36,000
Ambulance Receipts:	<u>\$ 6,205</u>
Total Requested:	\$86,620

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**Article 4: Amend FY 21 Wage & Classification Schedule** **Requested: \$0**

While this article requests approval to provide a two (2%) percent COLA for our Call Firefighters and setting the Stipend for the Veteran's Agent at \$5,000, there is no budgetary impact as the funds were included in the Operating Budget, but the Wage and Classification Schedule was not adjusted.

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**Article 5: Transfer - Water Enterprise Fund** **Requested: \$160,000**

This Article seeks to transfer \$160,000 from the Water Surplus Account to help cover the cost of engineering for the Whitney Well Manganese Mitigation Project and Expansion and other FY 21 operating costs.

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**Article 6: Transfer - Center Sewer Enterprise Fund** **Requested: \$50,000**

This Article seeks to transfer \$50,000 from the Center Sewer Surplus Account to cover anticipated FY 21 Expenses.

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**Article 7: Transfer - Four Corners Sewer Enterprise Fund** **Requested: \$5,000**

This Article seeks to transfer \$5,000 from the Four Corner Sewer Surplus Account to cover anticipated FY 21 Expenses.

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**Article 8: Transfer - Capital Stabilization Fund** **Requested: \$0**

The current balance in the Capital Stabilization Fund is \$554,313. The Town's Financial Policies state that this fund should have 1.5% of the Operating Budget. The anticipated FY 21 Operating Budget (after Article 2 Transfers) is \$40,630,339. The balance in this fund, therefore, should be \$609,455. That said, the Select Board and Finance Committee want to preserve as much Free Cash as possible to cover any shortfalls in revenues in FY 21 caused by the COVID – 19 Pandemic. This Article will most likely be Indefinitely Postponed.

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**Article 9: Transfer - Stabilization Fund** **Requested: \$0**

The current balance in the Stabilization Fund is \$2,054,993. The Town's Financial Policies state that this fund should have 5% of the Operating Budget. As stated above, the anticipated FY 21 Operating Budget will be \$40,630,339. The balance in this fund, therefore, should be \$2,031,517. Based on this, this Article will most likely be Indefinitely Postponed.

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**Article 10: Transfer - GDRSD Capital Stabilization Fund** **Requested: \$0**

This Article is used to cover the Town of Groton's share of the School Districts Capital Budget each Spring. Currently, the balance in the Fund is \$235,046. The FY 22 Capital Budget of the District is \$789,500 with the estimated share of Groton being \$519,078. That said, for the same reasons stated under Article 8, this Article will most likely be Indefinitely Postponed and depending on what happens over the next several months, Free Cash can be used to fund the Capital request of the School District.

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**Article 11: FY 2021 Capital Budget** **Requested: \$151,570**

Last Spring, the Town significantly reduced the original Capital Budget that was presented to the 2020 Spring Town Meeting. There were still several items to be considered at the Fall Town Meeting. The Town Manager and Capital Planning Advisory Committee are recommending that the Fall Town Meeting consider the following items:

Pick-Up Truck	\$ 45,000	Highway
Police Station Siding/Roof Repairs	\$ 50,000	Town Facilities
Police Cruiser	<u>\$ 56,570</u>	Police Department
Total	\$151,570	

To fund this request, \$101,570 will come Free Cash to fund the Pick-up Truck and Police Cruiser. To fund the Police Station Siding/Roof Repairs, surplus from the Library Roof Capital Project will be used to cover this expense.

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**Article 12: Stormwater Utility Enterprise Budget** **Requested: \$220,000**

The Spring Town Meeting created the Stormwater Enterprise Fund to provide the Town with a funding source to comply with the requirements of the NPDES MS4 Stormwater Permit Program operated by US Environmental Protection Agency. The permit program requires the Town to proactively manage its storm drainage system and ensure the protection of its waterways from stormwater pollution. Compliance with the requirements of this program is mandatory. The Select Board has established a Stormwater User Fee to be paid by all properties with impervious surfaces within the Town to cover this expense. This Article requests a budget of \$220,000 as approved by the Select Board at their August 10, 2020 Meeting. The funding for this Budget will come from the stormwater fee approved by the Select Board.

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**Article 13: Environmental Consulting Services** **Requested: \$18,000**

**From the Warrant Summary:** This funding is for environmental consulting services in support of the demolition of the former Squannacook Sportsmen's Club located at 159 West Main Street. Town Meeting has authorized the Town to obtain this property for additional parking and land for activities for the Groton Center. Prior to obtaining this property, the Town needs to understand the environmental impact of demolishing the former Sportsmen's Club. This funding is necessary to inspect the building and surrounding area and develop a report and recommendations for the building's disposal. Depending on the outcome of the report, the Town will return to a future Town Meeting for the necessary funding to demolish the building

and obtain the property. The cost of these services is anticipated to be \$18,000. Should the report come back favorable and the building can be removed, the estimated cost of disposal is \$30,000. This funding will come from Free Cash.

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**Article 14: Complete Streets Engineering**

**Requested: \$35,000**

**From the Warrant Summary:** The Complete Streets Committee will be applying for a grant from MassDOT (this Fall) to improve pedestrian safety and accessibility improvements in Town. This article will provide funding for the required engineering design of the projects. Projects under consideration at this time include installing a sidewalk from West Groton Center to the new Groton Center on West Main Street and installing a sidewalk on Route 40 from the Groton Inn to the Gibbet Hill Grill. The Town must provide the engineering to design and solicit bids in order to obtain the construction funding. This Article will request \$35,000 from Free Cash.

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**Article 14: Assessors Cyclical Inspections**

**Requested: \$20,000**

The Board of Assessors need to inspect every property in Town every five years. They have decided to use an outside consultant to conduct these inspections and fund 1/5 of the Town each year at a cost of \$20,000. This Funding will come from Unexpended Tax Capacity and added to the Operating Budget in Fiscal Year 2022.

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Should Town Meeting agree with these appropriations, the following amounts from the various accounts will be used, leaving the following balances:

Free Cash – Total Used:	\$199,595	Remaining Balance:	\$887,438
Unexpended Tax Capacity – Total Used:	\$ 56,000	Remaining Balance:	\$239,647
Ambulance Receipts – Total Used:	\$ 6,205	Remaining Balance:	\$ 54,229

Please note that the anticipated tax rate for FY 2021 will be \$17.84, an increase of \$0.03 from the anticipated Tax Rate presented to the Spring Town Meeting. The average tax bill would increase by an additional \$14, or an overall increase of \$226 over Fiscal Year 2020.

Respectfully submitted,

*Mark W. Haddad*

Mark W. Haddad  
Town Manager

### **QUITCLAIM DEED**

**Reedy Meadow LLC** ("Grantor") a Massachusetts Limited Liability Company with a principal office address of 4 Cricones Way, Tyngsboro, Massachusetts 01879,

In consideration of one dollar (\$1.00) paid, grants to the

**Town of Groton**, a Massachusetts municipal corporation having an address of 173 Main Street, Groton, Massachusetts 01450, acting by and through its Conservation Commission pursuant to the provisions of G.L. c. 40, §8C ("Grantee"),

With Quitclaim Covenants,

The parcel of land off Red Pepper Lane, Pepperell, Middlesex County, Massachusetts, shown as Parcel L on a plan labeled "REEDY MEADOW ESTATES" and entitled "Definitive Subdivision Plan of Land in Groton and Pepperell, Mass. Prepared for John J. Lorden", dated January, 2002, prepared by David E. Ross Associates, Inc. and recorded with the Middlesex South District Registry of Deeds in Plan Book 2008, Plan 330.

Said land is under the care, custody, and management of the Conservation Commission of the Town of Groton and shall be held for conservation purposes, including, without limitation, for the purpose of open space, passive recreation, promotion of natural resources, protection of the watershed resources, and/or wildlife habitat. No hunting shall be allowed.

**For Grantor's title, see deed of John J. Lorden and Jean P. Lorden, as Trustee of DMJ Irrevocable Trust u/d/t dated December 18, 2014 and recorded with the Middlesex South District Registry of Deeds at Book 64746, Page 214.**

The Town's Acceptance of Deed and Approval of Acceptance is attached hereto.



DEED

R.D. Kanniard Homes, Inc., a Massachusetts corporation, having an address at 34 Bryan Way, Ayer, Massachusetts 01432, hereby gifts for \$1.00 and grants with Quitclaim covenants to the Town of Groton, a municipal corporation with its principal offices located at 173 Main Street, Groton, MA 01450, acting by and through the Groton Conservation Commission as provided in M.G.L. Chapter 40, Section 8C, the land bounded and described as follows:

The Open Space Parcel, more particularly described in Exhibit "A" hereto and shown on a plan entitled "**Definitive Subdivision Plan, Groton Massachusetts, Conservation Restriction Plan, Village Meadows**", prepared by Ducharme & Dillis Civil Design Group, Inc., dated **January 22, 2020**, and recorded herewith. Said Open Space premises consist of 25.13 acres, more or less.

The land hereby conveyed is only portion of, and not substantially all of, the land conveyed to Grantor in the deed to Grantor recorded at **Book 69661, Page 196**; and such land is only a portion of and not substantially all of the land now owned by Grantor.

Grantors intended when designing the subdivision to preserve the land now designated as Open Space Parcel as open space, recognizing that land's unique characteristics, suitability for use in passive recreation and its shared boundaries with other conserved open space land held by the Town of Groton. Grantor's intent by this conveyance, therefore, is to have the Open Space Parcel Dedicated to the public for the sole purpose of conservation of natural resources, including but not limited to, the conservation of species listed pursuant to G.L. c. 131A et. seq. which shall be considered the most important conservation purpose for which this land is to be protected in perpetuity and held under the care and custody of the Conservation Commission, pursuant to G.L. c. 40, §8C. This parcel of land is being dedicated in order to meet a long-term Net Benefit pursuant to 321 CMR 10.23 with the Massachusetts Division of Fisheries and Wildlife and the Town of Groton as benefitted parties.

Witness my hand and seal as \_\_\_\_\_ of \_\_\_\_\_, 2020

R.D. Kanniard Homes, Inc.

\_\_\_\_\_

President and Treasurer, duly authorized

**SELECT BOARD MEETING MINUTES  
VIRTUAL MEETING  
MONDAY, AUGUST 24, 2020  
UN-APPROVED**

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

**Also Virtually Present:** Mark W. Haddad, Town Manager; Dawn Dunbar, Executive Assistant; Melisa Doig, HR Director; Patricia Dufresne, Town Accountant; Jonathan Greeno, Principal Assistant Assessor; Michael Hartnett, Tax Collector/Treasurer; Finance Committee Members – Gary Green, Bud Robertson, Art Prest, Mary Linskey, Colby Doody, Scott Whitefield, David Manugian; Vanessa Abraham; Bruce Easom; Tessa David; Anna Eliot; Alex Woodle; Russ Burke; Peter Cunningham; Mihran Keoseian; Jane Allen; Tom Orcutt; Jim Gmeiner; Don Black

Mr. Robertson called the Finance Committee to order at 7:03pm.

Ms. Manugian called the meeting to order at 7:03pm and reviewed the agenda.

**ANNOUNCEMENTS**

Mr. Haddad said that early voting was taking place at Town Hall during Town Hall hours. He said that all information relative to early voting was posted on the Town's website.

**TOWN MANAGER'S REPORT**

1. Mr. Haddad said that the State Primary would be held on September 1<sup>st</sup>. He said that Town Hall and the Center would be closed on Tuesday and Wednesday for voting and post-election cleaning. He said that all employees would be working from home on those two days.
2. Mr. Haddad said that the only update relative to COVID he had was that enforcement of protocols such as mask wearing and gathering sizes was now being enforced by the Board of Health and Police Department per the Governor's recent order. He said that they had not had any issues locally according to the Police Chief. He said that a couple of complaints had been followed up on by the Board of Health.
3. Mr. Haddad said that they had been searching for a permanent Veteran's Agent and was happy to report that he would like to bring Joe Dean on board as Groton's new Veteran's Agent. He said that he had made that appointment and asked the Board to ratify it. He thanked Mike Detillion for rescuing the Town over the past few months in absence of having a Veteran's Agent.

*Mr. Degen made a motion to ratify the Town Manager's appointment of Joe Dean as Veteran's Agent. Mr. Reilly seconded the motion. Roll Call: Degen-aye; Manugian-aye; Pine-aye; Degen-aye; Reilly-aye; Giger-aye*

4. Mr. Haddad said that they had awarded a contract to Black Earth to operate their composting program with the goal being to better serve the public and find a better cost saving alternative to the very important service provided to the residents. Mr. Haddad said that Black Earth provided a no cost solution for managing and maintaining compost operations, as well as, allowing the Town to retain the fees collected for brush disposal with no revenue loss to the Town. There will be no more tipping fees for brush grinding in the future and the DPW will have materials when needed. Mr. Haddad said that Black Earth would also provide a Curbside Scrap Program for residents of the Town who wish to participate. He said that this would also allow them to see an increase in DEP Grant Awards because of this new program. Mr. Delaney said that they had one outfit provide them a bid for \$300K and Black Earth was \$0 which was a win-win for the Town. Andrew from Black Earth Compost said that they would reach out to groups in Town to increase participation in the curbside program. Ms. Pine asked how many man hours Mr. Delaney would save. Mr. Delaney said that this was a fill in job for them that was done on rainy days, as an example, but was not done often enough to keep the compost good. Ms. Tessa David said that this would also allow them to take care of food waste which was not something they could do right now. Mr. Degen asked if they would accept brush from contractors. Andrew from Black Earth Compost said that they would take leaves from contractors but was not sure

about brush or grass weeds yet. Mr. Delaney said that they did not accept weeds right now or contractor brush at the Transfer Station adding the leaves would be something new for residents.

### **PUBLIC HEARING ON THE WARRANT**

Mr. Haddad read the hearing notice into the record.

*Ms. Pine moved to open the public hearing on the Fall 2020 Town Meeting Warrant. Mr. Degen seconded the motion.*

*Roll Call: Pine-aye; Degen-aye; Mamugian-aye; Giger-aye; Reilly-aye*

Mr. Haddad reviewed balances in various funding accounts.

Article 1 – Mr. Haddad said that there were no unpaid bills at this time.

Article 2 – Mr. Haddad said that he was going to change a couple of his recommendations from what he had put in his memo to the Board.

1. Mr. Haddad said he was recommending that any merit raise he received based on his review be paid out of free cash.
2. Mr. Haddad said that they were estimating a onetime hit in the Elections budget due to the mail in ballot and early voting changes. He said that they needed \$10K and was recommending that they use free cash to cover this. Mr. Degen asked if they could use Cares Act money. Mr. Haddad said that was something they needed to look into to.
3. Mr. Haddad said that there was an increase in postage due to mail in voting and would need additional money to cover those costs.
4. Mr. Haddad said that they had underfunded the maintenance budget in the Fire Department and needed an additional \$20K to cover costs. He said that they also were going to use another vendor for billing software for ambulance receipts and would cost \$6K.
5. Mr. Haddad said that they had overshot tipping fees by over \$10K in recent years adding that because people were home more, there was an increase in tipping fees at the Transfer Station. He said that it also cost them more in tipping fees to grind down brush from the microburst. He said that they needed \$20K from tax levy and \$20K from free cash. Mr. Delaney said that the construction and demolition debris was what was increasing the tipping fee. He said that the tax base was supplementing the disposal of construction debris. Mr. Haddad said that general trash was also causing their budget to be out of balance.
6. Mr. Haddad said that they were reducing the Country Club budget by \$24K.
7. Mr. Haddad said that he was asking for \$20K in Insurance to cover additional property coverage costs.

Article 3 – Mr. Haddad said that the wage and classification needed to be updated to correct a scrivener's error to increase the salaries of the Veteran's Agent and Call Department. He said that this was budgeted for at the Spring Town Meeting.

Article 4 – Mr. Orcutt said that they were requesting a transfer of \$160K for various small projects and engineering for the manganese treatment facility.

Article 5 – Mr. Orcutt said that they were requesting \$50K for center sewer work down near Conductorlab. Mr. Orcutt said that they had originally bypassed that stub because of the contamination that was discovered years ago. He said that this stub would be done by directional drilling and would need to be done at night per DOT regulations. Ms. Pine asked why this needed to be done now. Mr. Orcutt said that the property owner wanted to connect to sewer adding it had been paid for in 1990.

Article 6 – Mr. Orcutt said that they were seeking \$5K transfer for on call services at Four Corners Sewer.

Article 7 – Mr. Haddad said that they were requesting \$75K be placed in capital stabilization in anticipation of next year's capital plan. He said that this would put them in line with their financial policy. Mr. Robertson said that they had a \$600K problem to address going into next FY. Mr. Robertson said that he would like to save as much as they could in free cash to help with next years budget.

Article 8 – Mr. Haddad said that they did not need to add any money into stabilization at this time.

Article 9 – Mr. Haddad said that this was to add money into GDRSD capital budget. He said that they would need \$284K to cover their share. He said he was recommending \$300K be transferred. Ms. Manugian asked if they knew what the plan was moving forward. Mr. Haddad said that he did not believe the School Committee had taken this up but had received these numbers from the Business Manager. Mr. Robertson said he was recommending that this be dropped to \$200K and if the School Committee could take a \$200K hit on their capital side also.

Article 10 – Mr. Haddad said that this was the FY21 Capital Plan. He said that he met with the Capital Planning Advisory Committee and decided to only come forward with \$196K worth of items. Mr. Haddad said that he wasn't sure if the parking lot at the Library could be put off another year but was something they could look into. He explained why his original idea of using funds leftover from the library roof project was not going to work. Ms. Manugian asked if the Police Station siding could be paid out of the library roof proceeds. Mr. Haddad said he would look into that.

Article 11 – Ms. Pine said that they should revisit filling the vacancy in the DPW and use half of that employees time to complete stormwater work.

Article 12 – Mr. Haddad said that the old Sportsman Club in front of the Senior Center required some environmental work to see what would be required to tear down the building and use it as a parking area for the Senior Center and was requesting \$18K to see what would be required. Mr. Keoseian said that they were also looking to beautify the area, increase walking trails, etc. but could not move forward until they knew what remediation would cost. Mr. Robertson said that he would prefer to see this pushed off because of the pandemic.

Article 13 – Mr. Haddad said that the Complete Streets Committee would like to apply for a grant this fall but is required to fund the engineering work. He said that they needed the engineering to apply for the grant. He said that the estimated engineering cost would be \$35K. Mr. Manugian asked why this project bypassed the capital process. Mr. Haddad said that this was a state grant program where the Select Board had to adopt the program and a committee under state law. He said that this would not be part of the capital plan based on this. Ms. Manugian said she thought the intent of the Capital Planning Advisory Committee was to look at everything and was surprised that this wasn't something they would review. Mr. Robertson said that this was something that could also be put off to another year. Mr. Burke said that this was a program the State set up to better all modes of transportation adding the Committee had done a lot of work examining this for state approval. Ms. Pine said that they should not delay this adding there were more people walking due to the pandemic. She said that the State could pull the program at any time if there was a shortage of funds. Mr. Degen said that he agreed with Ms. Pine adding he thought the State might find themselves in a shortfall. He said that he agreed with moving forward on this.

Article 14 – Mr. Haddad said that they were requesting funds to perform cyclical inspections. He said that since this was an annual cost, it made sense to place this in the Assessors budget and for it to come out of taxation.

Article 15 – Mr. Easom said it was a requirement to put expected revenues into the CPC buckets. Mr. Easom reviewed the bins and amounts.

#### Article 16

A – Mr. Woodle explained the Lost Lake/Knops Pond Weed proposal requesting CPA funds.

B – Ms. Manugian asked if adding the requested amount into the Conservation Fund would allow them to do anything or if they would need to continue to add more. Mr. Gualco said that they would need to continue to add more.

C – Mr. Easom said that the History Center had put in an application to restore portraits of Groton historians and put them on display.

D – Ms. Abraham said that the pocket doors were a historic feature in the Library they would like to restore.

E – Mr. Haddad said that the Board wrote a letter of support last spring for this project adding the project remained the same.

F – Mr. Black said that the cannon project was ready to go pending approval.

## **CPA OUT OF CYCLE APPLICATIONS**

1. Mr. Haddad said that there were two out of cycle CPA articles on the warrant. Ms. Eliot said that the Park Commission would like to engineer and design a sports complex at Cow Pond Brook Field to include sanitary facilities. She said that a new well would need to be dug so that all fields would be irrigated also. She said that they were asking for letter of support and would like to come before the Board at their next meeting. Ms. Manugian asked if they could get a cost estimate for the project and if it should go to the Capital Planning Advisory Committee. Ms. Eliot said that she had been to see them.
2. Ms. Pine said that the Affordable Housing Trust was asking for \$200K for a temporary program for rental assistance.

Article 17 – Mr. Haddad said that this allowed the Trust Fund Commission to utilize other investment opportunities.

Articles 18, 19 & 20 – Mr. Haddad said that the wording was the same as was presented on the Spring Town Meeting. Mr. Burke said that one zoning article included some additional cleanup that was missed as it related to multi-family housing.

Article 21 – Mr. Haddad said that the changes to the dog bylaw were to bring the bylaw in compliance with State law.

Mr. Haddad said he was waiting to hear from the Planning Board on whether to add the road acceptance of Red Pepper Lane to the warrant. Mr. Burke said that they could go ahead and add it to the warrant. The Board agreed.

Mr. Haddad asked the Board to continue the public hearing to Monday, August 31<sup>st</sup> at 7:15pm.

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

## **TOWN MANAGER'S REPORT**

5. Mr. Haddad said that the Affordable Housing Trust has recommended that Carolyn Perkins be appointed to the Trust to fill a vacancy. Ms. Pine said it had been discussed that it would be great to have someone who was on both the CPC and the AHT. She said that Carolyn was a good fit because of her Planning Board experience and professional background.

*Mr. Giger moved to appoint Carolyn Perkins to the Affordable Housing Trust with a term to expire June 30, 2022. Ms. Manugian seconded the motion. Roll Call: Pine-aye; Degen-aye; Manugian-aye; Giger-aye; Reilly-aye*

6. Mr. Haddad said that the Select Board had approved of a plan to train Bob Garside to take over as Building Commissioner when Ed Cataldo retired on September 8, 2020. He said that the plan was to have Mr. Cataldo train Mr. Garside and for Mr. Garside to pass the State Test to become a certified Building Commissioner. Mr. Haddad said that the training had gone very well and Mr. Garside had done a great job learning and performing the duties of Local Building Inspector. Mr. Haddad said that Mr. Cataldo had been impressed with the way Mr. Garside had approached and learned the job. Mr. Haddad said that while the pandemic had allowed Mr. Garside to show his abilities, it had also hampered his ability to become a certified Building Commissioner. He said that there were three tests that Mr. Garside needed to pass to become certified. He said that Mr. Garside passed the first test easily and was preparing to take courses for the next two sections but unfortunately, through no fault of Mr. Garside's, the pandemic had put all of that on hold and classes had not been available and testing had not been scheduled. Mr. Haddad said that Mr. Garside would not be able to become certified by Mr. Cataldo's retirement date. He said that while Mr. Cataldo could perform inspections and manage the Department, the Town needed to have a Building Commissioner to issue occupancy permits, etc. Mr. Haddad said he had approached Mr. Cataldo with the idea of paying him a monthly stipend to stay on as Building Commissioner (after he retired) to perform the work necessary to issue occupancy permits. Mr. Haddad said that Mr. Cataldo was willing to do that for the Town, which he was very grateful for and respectfully requested the Board's approval to pay Mr. Cataldo a monthly stipend of \$1,200 (\$300 a week) for four months (September through December 31st) for a total cost of \$4,800. Mr. Haddad said he

was hopeful that classes at the State level and testing would commence this Fall giving Mr. Garside the ability to complete his training and pass the test. Mr. Haddad said that should the State not make this available thus allowing Mr. Garside to complete his certification by December 31st, they would have to revisit the issue. Mr. Haddad said that that \$4,800 could be covered by Cares Act funding. Mr. Haddad requested the Board's permission to move forward with this plan.

Ms. Pine said that she was grateful that Mr. Cataldo was willing to do this but thought that \$1,200 was overpaying Mr. Cataldo. She said that on average they had had 7 occupancy permits per month which took about 1-3 hours, it worked out to a high hourly rate. She said she thought they should reduce this to \$1,000 per month or a per permit stipend. Mr. Haddad said that this was an issue of supply and demand. He said that they needed a building commissioner and if they were to bring in a consultant as an example, they were going to pay a premium. He said that he was going to be a resource to Mr. Garside also for approximately 4-5 hours a week. He asked the Board to consider this and support it. Mr. Robertson said that for the \$200 difference between what Mr. Haddad requested and Ms. Pine countered with was not worth trying to take him down \$200. He said that in the grand scheme of things it was not a big number. Mr. Robertson said he valued his skillset. Mr. Reilly said if Mr. Cataldo decided to not retire and continue to help us until Mr. Garside was certified, it would cost the Town 2 salaries. He said he was good with the proposal. Mr. Degen said that he had given this a lot of thought they needed a building commissioner to sign off on permits. He said that it wasn't a lot of money. The Board was okay with this proposal.

The Finance Committee adjourned at 9:30pm.

7. Mr. Haddad said that Select Board Member Giger asked for an update on the status of the Single Use Plastic Bag Ban. Mr. Haddad said that the Governor had issued a Moratorium that allowed the use of these bags during the first part of his emergency order on the COVID-19 Pandemic. He has since lifted the Moratorium and Towns could now implement the ban. Mr. Haddad asked the Board to vote to institute the ban effective January 1, 2021 so that they could give their businesses enough time to plan and prepare for the ban. Ms. Pine said that January 2021 was premature given that they could remain in a COVID state through the winter. Mr. Degen said that Town Meeting adopted it and the ban was lifted and thought that January 1, 2021 was reasonable. Ms. Pine said that Shaw's was requiring people to bag their own reusable bags.

Mr. Haddad asked the Board to vote to set the ban to January 1, 2021.

*Mr. Degen moved that they notify all business in town the single use ban will go into effect on January 1, 2021 consistent with Fall of 2019 vote. Mr. Giger seconded the motion. Roll Call: Pine-aye; Degen-aye; Manugian-aye; Giger-aye; Reilly-aye*

8. Mr. Haddad said that Mr. Garside formalized the building department fees as discussed by the Board at their last meeting with some clarifying language suggested by Ms. Manugian earlier that day.

*Mr. Degen moved to adopt Town Manager and Building Inspector fee changes as stipulated in their packet with one further edit by Ms. Manugian to go into effect January 1, 2021. Ms. Manugian seconded the motion. Roll Call: Pine-aye; Degen-aye; Manugian-aye; Giger-aye; Reilly-aye*

#### **OTHER BUSINESS**

Mr. Haddad said that the recommendation in Executive Session was for Mr. Degen to be the mediator between Town Counsel and the Town Manager to improve relations.

*Ms. Manugian made a motion to designate Mr. Degen as mediator between Town Counsel and Mr. Haddad. Ms. Pine seconded the motion. Roll Call: Pine-aye; Degen-abstain; Manugian-aye; Giger-aye; Reilly-aye*

Mr. Haddad said that the Board discussed the Prescott School RFP at their last meeting and he asked if the Board wanted to stick to one year only RFP or leave the drafted language broad with up to 3 years to provide the board with flexibility. The Board was okay with the wording and the flexibility. Mr. Giger said he did not support the broad language.

#### **MINUTES**

*Ms. Pine moved to approve minutes of August 10, 2020. Mr. Reilly seconded the motion. Roll Call: Roll Call: Pine-aye; Degen-abstain; Manugian-aye; Giger-aye; Reilly-aye*

Ms. Manugian adjourned the meeting at 9:41pm.

Approved: \_\_\_\_\_  
Rebecca H. Pine, Clerk

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

Date Approved:

**SELECT BOARD MEETING MINUTES  
VIRTUAL MEETING  
MONDAY, AUGUST 31, 2020  
UN-APPROVED**

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

**Also Virtually Present:** Mark W. Haddad, Town Manager; Dawn Dunbar, Executive Assistant; Melisa Doig, HR Director; Patricia Dufresne, Town Accountant; Jonathan Greeno, Principal Assistant Assessor; Michael Hartnett, Tax Collector/Treasurer; Finance Committee Members – Bud Robertson, Mary Linskey; Anna Eliot; Peter Cunningham; Carolyn Perkins; Gregg Yanchenko

Ms. Manugian called the meeting to order at 7:01pm and reviewed the agenda.

**ANNOUNCEMENTS**

Mr. Haddad said that he sent out a couple of emails that afternoon for additions to the agenda and reviewed those.

**TOWN MANAGER'S REPORT**

1. Mr. Haddad said that he wanted to remind the public that tomorrow, September 1, 2020 was Election Day and reviewed the precincts. He said that the Town Hall and the Center would be closed on Tuesday for employees and also closed on Wednesday for a deep clean. He said that all Town employees would be working remotely those 2 days.
2. Mr. Haddad said that he had appointed Ed Cataldo as Building Commissioner beginning on Sept 9. Mr. Degen said he understood the open ended-ness of the appointment because of COVID but thought they could end it on December 31 and go from there.

*Mr. Degen moved to ratify the Town Manager's appointment of Ed Cataldo as Building Commissioner for the stipend of \$1,200 monthly from September 9, 2020 through December 31, 2020. Mr. Reilly seconded the motion. Roll Call: Pine-aye; Degen-aye; Giger-aye; Manugian-aye; Reilly-aye*

3. Mr. Haddad asked the Board to ratify his appointment of Cooper Wyman as Country Club golf staff.

*Ms. Pine made the motion. Ms. Manugian seconded the motion. Mr. Giger asked if this was a seasonal position. Mr. Haddad said it was. Roll Call: Pine-aye; Degen-aye; Giger-aye; Manugian-aye; Reilly-aye*

4. Mr. Haddad said that at their last meeting the Select Board asked for a breakdown of revenues they took in from Transfer Station. Mr. Haddad reviewed a comparison showing income/expenses for the last 3 fiscal years. Mr. Haddad said that the volatility of making this an enterprise fund was what had caused them to keep it a town department and not an enterprise fund. Mr. Degen said that FY18 was a little better than break even while FY19 and FY20 had negative trends. He said he would like to see an enterprise fund explored. Ms. Manugian agreed but didn't feel strongly about making it an enterprise fund. Mr. Haddad said that to make it an enterprise fund, increasing fees would push more people away from transfer station to private hauler adding he would do the analysis and come back to the Board.
5. Mr. Haddad said he put together a preliminary meeting schedule for the Board through the beginning of 2021. He said that he would work with the Chair to fill in potential agenda items.

**WARRANT PUBLIC HEARING**

*Mr. Degen moved to reopen the hearing on the warrant. Ms. Pine seconded the motion. Roll Call: Pine-aye; Degen-aye; Giger-aye; Manugian-aye; Reilly-aye*

Mr. Haddad said he updated his memo on warrant articles. He said that the reserve account balances had not changed.



Article 1 - Mr. Haddad said that there were no unpaid bills at this time and asked the Board to defer to Town Meeting.

Article 2- Mr. Haddad said article 2 proposed amendments to the operating budget and had not changed since last week's discussion. He reviewed the amounts being requested. He said that the total being requested was \$86,620 coming from various funding accounts. *The Board unanimously supported this article.*

Article 3 - Mr. Haddad said that article 3 would update the classification schedule for a few positions that had not been updated with the 2% increase budgeted for. *The Board unanimously supported this article.*

Article 4 – Pine, Reilly; Giger; Manugian-support; Degen-no position

Article 5 -

Article 6 - Pine, Reilly; Giger; Manugian-support; Degen-no position

Article 7 - Mr. Haddad said he changed his position on this and was supporting Mr. Robertson's argument. He asked the Board to not add money to the Capital stabilization fund. Mr. Degen suggested they withdraw the article. Ms. Manugian said she didn't feel strongly. Mr. Degen said that they could indefinitely postpone the article should something come up. *The Board unanimously supported this article.*

Article 8 - Mr. Haddad said that they could move to indefinitely postpone this also. The Board agreed.

Article 9 - Mr. Haddad said that the school committee agreed with leaving money in free cash like the Town's capital. The Board agreed to indefinitely postpone this.

Article 10 - Mr. Haddad said that the library roof proceeds could be used toward the police station siding and roof repairs. He said that \$146K would be coming out of free cash and the remaining \$50K from library roof proceeds. Mr. Degen said that he took a look at the parking lot at the library and thought that the parking lot could be pushed off for a couple of years. He said that sealing of the cracks could be done to help the lot for the next few years. Mr. Haddad said he could break this out into two motions if need be. Mr. Robertson said it was an old parking lot but didn't think it should be done this year in order to save the cash. Ms. Pine said that bringing this to Town Meeting would start a larger discussion about the road leading up to 119 owned by LA. Ms. Pine said she was happy with holding off on the parking lot.

The Board decided to make these 2 motions; one for the cruiser, siding and roof repairs and truck; the other for the parking lot. *The Board was unanimous for the first part and hold off on part 2 until September 14th.*

Article 11 - Ms. Pine said she would like to see them utilize a position in the highway department part time instead of hiring an additional employee. *Mr. Degen deferred to September 14th as well as Ms. Pine. Manugian, Reilly and Giger supported this article.*

Article 12 - Ms. Pine said she supported this article Mr. Robertson said he would like to see them hold off adding this wasn't the year to do this. Ms. Manugian said that the roof was in ill repair and possible exterior contamination could occur because of that. Mr. Cunningham said that the condition of the building continued to deteriorate which caused concern in the brook that ran right by there. Mr. Cunningham said that there was grant money that they just heard about and were looking into whether they would qualify for a brownfield grant through the MRPC. Mr. Giger said that they should exhaust grant opportunities first. Mr. Degen said he supported what Mr. Haddad was saying. Mr. Reilly said he thought the Town would own this property no matter what and didn't think they should hold off on this. *Manugian supported this; Degen-deferred. Reilly supported this; Giger-deferred.*

Article 13 – *The Board unanimously supported this article.*

Article 14 - *The Board unanimously supported this article.*

Article 15 - *The Board unanimously supported this article.*

Article 16 -

A: Manugian - defer to Town Meeting; Giger; Reilly; Pine; Degen - support

B: Pine, Degen, Giger, Reilly - support; Manugian-did not support. Mr. Degen said that to have \$750-1M allowed the Conservation Commission the ability to purchase land taken out of chapter land and avoid the necessity to go to Town Meeting. He said that the Commission had done an exemplary job assessing land potential and being good stewards of the money. He said that the influx of cash was a necessity. Ms. Manugian said she didn't disagree but that this money wouldn't give them enough to do anything with and only tied up money. Mr. Degen said that this would help build their account back up.

C: *The Board unanimously supported this article.*

D: *The Board unanimously supported this article.*

E: *The Board unanimously supported this article.*

F: *Manugian, Degen did not support this. Pine, Reilly, Giger supported this.*

G: Ms. Eliot said that what started this project was the traffic concerns at Cow Pond. Ms. Eliot said that they wanted to bring the storage and sanitary facilities up to code, improve the parking area and locate a new well. She said that this would include a feasibility study and design of this facility. Mr. Yanchenko said that this was one of the most used facilities in town and explained the process. Mr. Degen said he agreed fundamentally with this but wanted to know if this would be administered through RFP, etc. Mr. Yanchenko said that design services would be selected through an RFP. Ms. Manugian asked why all 3 phases were being asked for now. Mr. Yanchenko said that a firm would go through all 3 phases typically. Ms. Manugian said she had a lot of concerns as a parent having been to other facilities that weren't either opened, dirty, etc. She asked if this had been part of the capital plan and if the Capital Planning Committee had been consulted. Mr. Haddad said he didn't understand how it got an out of cycle application adding he was not sure what capital plan this was on. He said he didn't see the urgency of this and had not vetted this out. Ms. Eliot said that part of the recommendation from the out of cycle was because of the storm damage to the shed. Mr. Haddad said that a walking track proposed back in 2012 was the only capital item brought to his attention which ultimately didn't go anywhere.

Mr. Degen said he had never heard about a well or egress issues when he first spoke with Ms. Eliot. Ms. Eliot said that when they brought the user groups, they were the ones that mentioned other items needing attention. Mr. Degen said he did not support this. Ms. Manugian was against this. Ms. Pine said she agreed with some of the points made. She deferred her position. Mr. Reilly said he was worried about the cost to the Town and liked the idea of cutting this up into pieces. He said he was concerned about the way it came forward. Mr. Reilly said he could not support this. Mr. Giger said he supported this adding they needed a comprehensive plan. Mr. Giger said that this was one of the most valuable services that they provided to the town and its children. He said there was a community wide benefit to this. Mr. Degen said he understood Mr. Giger's sentiment but he had major exception with coming in under an emergency application and ballooning the way it had. He urged the Select Board to vote to not support and for the CPC to reconsider the urgency of this.

H: Ms. Perkins said that she was a new member but said this project was something being done around the State. She said that any unused funds would be returned to the CPC at the end of the project need. Ms. Manugian asked if the AHT had talked to the Commissioner of Trust Funds. Ms. Pine said that Ms. Stanley had contacted the Commissioners but said that because it would be CPC funds, it would not be right for the Commissioners to administer the funds. Mr. Haddad said that there were several agencies out there that would help run the program for the AHT. Ms. Manugian asked how the end date was selected. Ms. Pine said that they CPC had most projects run for a two-year running time as was recommended by them adding they wanted to make sure they were available as long as possible for the pandemic to end and people to get back on their feet potentially. Ms. Manugian asked what parameters were discussed to only make this for rental assistance. Ms. Pine said that the State had promoted rental assistance programs and use of CPC money for it. Mr. Haddad said he liked this program. Mr. Reilly asked what made this an emergency. Ms. Perkins said that the pandemic was an emergency which made this a viable emergency application.

*The Board unanimously supported this.*

*Ms. Pine asked for a letter of support from the Board and made a motion for such and to authorize the Town Manager to sign it on behalf of the Board. Mr. Degen seconded the motion. Roll Call: Pine-aye; Degen-aye; Manugian-aye; Giger-aye; Reilly-aye*

*Article 17 - The Board unanimously supported this.*

*Article 18 – The Board deferred to Town Meeting.*

*Article 19 – Degen was at Town Meeting; Pine, Manugian, Giger, Reilly supported this.*

*Article 20 – Pine was at Town Meeting, Degen was a no; Manugian, Giger, Reilly supported this. Mr. Degen said this went against their zoning requirements but would support this if it was to renovate an existing barn or garage on the lot.*

*Article 21 - The Board unanimously supported this.*

*Article 22 - Mr. Haddad asked the Board to defer to Town Meeting.*

Mr. Haddad said he sent the Board an email this afternoon adding that the Diversity Task Force met last week and requested that Groton add a warrant article to remove its designation as a sundown town. He said that this was not at all the case in Groton but would like Town Meeting to make this symbolic vote. Mr. Haddad explained what a sundown town was. Mr. Degen said that this was not symbolic but in the books. He said it should have never occurred and should be stricken from the records. Mr. Reilly said that this was embarrassing and asked how it was found. Mr. Degen said he found it and had wanted a diversity task force for years because of things like this. He said he wanted Groton to be the welcoming community that it was. Mr. Giger asked when the original vote was taken on this. Mr. Haddad said he was researching this still. Mr. Degen said he agreed to a certain point but that a warrant article could be crafted in such a way in case they didn't find a date before then.

Mr. Haddad said that the second requested addition to the warrant was to petition the State to amend the Charter to allow the Town Manager and one Select Board member to sign off on all warrants. Mr. Haddad said that all Select Board members received the warrants from the Accounting Department adding the proposal would be one member and the Town Manager to sign off on them. Ms. Manugian said she was comfortable voting to continue to do this right now but wasn't sure she supported the change. She said she could support a change a quarterly, twice annually or annually vote. Mr. Giger said he didn't see a need to have everyone sign these. Mr. Giger said a 90-day period might make sense and would rotate through the Board. Ms. Pine said that Mr. Giger's suggestion was a good one but could not support this. She didn't think this was important enough to bring it forward to the legislature at this time. Mr. Degen said that he could not support this.

*Mr. Degen moved to open the warrant. Ms. Pine seconded the motion. Roll Call: Pine-aye; Degen-aye; Manugian-aye; Giger-aye; Reilly-aye*

*Mr. Haddad asked the Board to authorize that the sundown town article be added to the warrant. Mr. Degen made the motion and asked that proper wording be added as discussed earlier. Mr. Reilly seconded the motion. Roll Call: Pine-aye; Degen-aye; Manugian-aye; Giger-aye; Reilly-aye*

*Mr. Degen moved to close the 2020 fall warrant. Ms. Pine seconded the motion. Roll Call: Pine-aye; Degen-aye; Manugian-aye; Giger-aye; Reilly-aye*

*Mr. Degen moved to close the public hearing. Ms. Pine seconded the motion. Roll Call: Pine-aye; Degen-aye; Manugian-aye; Giger-aye; Reilly-aye*

#### **TOWN MANAGERS REPORT – cont.**

6. *Mr. Degen moved to extend the signing authority on the warrants to the Town Manager and Mr. Reilly for the next 30 days. Ms. Pine seconded the motion. Roll Call: Pine-aye; Degen-aye; Manugian-aye; Giger-aye; Reilly-abstain*

#### **ONGOING ISSUES**

Mr. Haddad asked if the Board authorized the Chair of the Board to sign the IMA for the Flo Ro bonding.

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

Mr. Haddad said that the Board had the final Town Manager review and needed to finalize it. Ms. Manugian said that all 5 members were eligible to review the Town Manager. She said that the ratings went from 85 to 150 points. She said that the combined rating put the Town Manager at an outstanding rating. She reviewed some of the categories in which the Board rated him. She said it had been a great year and thanked him for his service over the past year. Ms. Pine said that many aspects of the new form were a huge improvement. She said she realized that this process did not allow for discussion that would be useful. She said that there was a range of levels and for her would have appreciated having an understanding of someone else's reasoning. Mr. Degen said he heard what she was saying but because he was one that couldn't find time to write comments because of personal things going on, his numbers reflected his comments. He said that Mr. Haddad had had the best year ever and didn't require any comments. Mr. Haddad said that he had always seen his review as individual members having their own opinions of his performance without being influenced by other members. He said he liked it being independent and the way it was. He praised his department heads adding they were the best in the state. He said that Ms. Dunbar was the best assistant he had ever had and would be remiss if he didn't recognize her. Ms. Manugian said she heard what Ms. Pine was saying and appreciated her comments but wasn't sure there was a way. Mr. Giger suggested members review the guidelines for reviewing managers under the OML.

*Mr. Degen moved to approve the Town Manager's evaluation for the 18-month period ending June 30, 2020 and file it with the Town Clerk as a public record. Ms. Manugian seconded the motion. Roll Call: Pine-aye; Degen-aye; Manugian-aye; Giger-aye; Reilly-aye*

Ms. Manugian adjourned the meeting at 9:33pm.

Approved: \_\_\_\_\_  
Rebecca H. Pine, Clerk

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

Date Approved: