

# Select Board Meeting Packet

October 4, 2021

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



# TOWN OF GROTON

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

# Select Board

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

**Town Manager**  
Mark W. Haddad

**SELECT BOARD MEETING  
MONDAY, OCTOBER 4, 2021  
AGENDA  
THE GROTON CENTER  
163 WEST MAIN STREET  
WEST GROTON, MA**

- 7:00 P.M.            Announcements and Review Agenda for the Public
- 7:05 P.M.            Public Comment Period
- I.            7:06 P.M.            Town Manager's Report
1. Town Manager's Explanation of Agenda Items
  2. Consider Accepting the Town Manager's Nomination and Appointing Jeanne Ciampa to the Trails Committee
  3. Consider Approving Charge of the Destination Groton Committee
  4. Review the Final Draft of the 2021 Fall Town Meeting Warrant, Take Positions on Any Remaining Articles – Request Board to Vote to Issue Fall Town Meeting Warrant
  5. Update on Select Board Meeting Schedule Through the End of the Year
- II.            7:10 P.M.            Items for Select Board Consideration and Action
1. Consider Appointing Greg Baran to the Board of Registrars
- III.            7:15 P.M.            Public Hearing – Consider Issuing Aboveground Fuel Storage License for the Groton School on Farmers Row, Groton MA
- IV.            7:20 P.M.            Discussion - How to respond to Incidents of Hate and Discrimination; Review/Consider Action on Motions Submitted by Select Board Member Degen on Hate Crimes/Speech; Consider Scheduling Bystander Training; Consider Appointing Alison Manugian as the Select Board Representative on the Diversity Task Force

#### OTHER BUSINESS

- Consider Approving a One Day Beer and Wine Liquor License for the Friends of Prescott for the Felt & Sip Event on Thursday, October 14, 2021 from 6:30 p.m. to 8:30 p.m.
- Consider Approving a One Day Beer and Wine Liquor License for the Friends of Prescott for the Annual Meeting Event on Thursday, October 21, 2021 from 6:30 p.m. to 8:30 p.m.

#### ON-GOING ISSUES – Review and Informational Purposes – Brief Comments - Items May or May Not Be Discussed

- A. Water Department – Manganese Issue – PFAS Issue
- B. Green Communities Application and Implementation
- C. Florence Roche Elementary School Construction Project

#### SELECT BOARD LIAISON REPORTS

- V.            Minutes:            Regularly Scheduled Meeting of September 27, 2021

#### ADJOURNMENT

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



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**Town Manager**  
Mark W. Haddad

**To:** *Select Board*

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

**Subject:** *Weekly Agenda Update/Report*

**Date:** *October 4, 2021*

### TOWN MANAGER'S REPORT

1. Please note that the Board will be meeting at the Center in West Groton for this week's meeting commencing at 7:00 p.m. In addition to the Town Manager's Report, Items for Select Board Consideration and Action and a review of the On-going Issues, there are two items scheduled on Monday's Agenda. First, the Select Board needs to conduct a Public Hearing to consider the approval of a license for an above ground storage tank at the Groton School on Farmers Row. Enclosed with this report is the application and relevant information for Board consideration. Second, as discussed at your meeting of September 20<sup>th</sup>, we have scheduled time for the Board to discuss the following:
  - A. Discuss How to Respond to Incidents of Hate and Discrimination – The purpose of this discussion is to begin a dialogue to determine the best way to handle graffiti and other forms of hate. As the Board will recall, recently a swastika was carved into a tree at Town Field and it was removed before it was reported to the Police. The Board needs to determine the best way to handle these types of incidents moving forward.
  - B. Review/Consider Action on Motions Submitted by Select Board Member Degen on Hate Crimes/Speech – At the September 20<sup>th</sup> meeting, Mr. Degen submitted the following three motions for Board consideration:
    1. I move that this Board instruct the Chief of Police, Michael Luth, to monitor the Rotten in Groton Facebook page for anything that can be construed as a hate crime and further if such a situation occurs, he shall prosecute to the fullest extent of the law.
    2. I move that this board create a local bylaw to address the consequences of hate speech or hate crimes.
    3. I move that we establish a policy to be adopted by the Police Department to create a system to track, investigate and prevent hate crime and hate incidents. Appropriate training as to how respond to and understand patterns of hate related incidents will be provided to all Officers of the Department.

***Continued on next page – Over >***

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Weekly Agenda Update/Report  
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**1B. Continued:**

At that meeting, I had requested that we submit the three motions to Town Counsel for his review and opinion on the legality of the motions should the Board adopt them. Enclosed with this report is Town Counsel's Opinion. Essentially, Town Counsel has stated that all three motions as presented cannot be approved by the Board for a variety of reasons. I would ask the Board to review Town Counsel's Opinion and determine how to proceed with Mr. Degen's proposed motions.

C. Consider Scheduling Bystander Training – Bystander Training provides methods/ways to protect neighbors and co-workers when bias and harassment collide in front of you. Enclosed with this report is information provided to me by Raquel Majeski on this kind of training. We can review it in more detail at Monday's meeting and determine if the Board wants to pursue scheduling such training.

D. Consider Appointing Alison Manugian as the Select Board Representative to the Diversity Task Force – At last week's meeting, Select Board Member Degen resigned (effective October 1, 2021) from the Task Force. Ms. Manugian expressed interest in serving in this role, subject to receiving feedback from the Diversity Task Force if they still want a member of the Board on the Task Force. The Task Force met on September 30<sup>th</sup> to consider this issue. I hope to have an update for the Board at Monday's meeting. Should they wish to continue to have a Select Board Representative, I would respectfully request that the Board consider appointing Ms. Manugian to the Diversity Task Force.

2. The Trails Committee has requested that I nominate Jeanne Ciampa for membership on the Trails Committee. Please consider this as my nomination of Ms. Ciampa for appointment. I would respectfully request that the Board make this appointment at Monday's meeting.

3. I have met with Select Board Member John Reilly, Greg Sheldon and Jeff Gordon to develop a Charge for the Destination Groton Committee. Mr. Sheldon provided us with an excellent draft for consideration. The Draft Charge is enclosed with this report. Both Mr. Reilly and I are in support of the proposed Charge. I would respectfully request that the Board consider adopting this Charge at Monday's meeting. Once approved, we will advertise for members.

4. Enclosed is the final draft of the 2021 Fall Town Meeting Warrant for your review and approval. The Board had continued the public hearing on the Warrant to Monday's meeting for the Board to consider making recommendations on any remaining Articles in which you have not taken action. Specifically, the Board needs to consider taking positions on the following Articles:

**Article 1 – Unpaid Bills** – There is one unpaid bill from a previous Fiscal Year. The Planning Board owes Nitsch Engineering \$11,602 for Peer Review Services. The Developer of Red Pepper Lane and Olivia Way failed to replenish funds for this service and the Town needs to cover the expense. This Article was originally planned to be part of the Consent Agenda since it was going to be withdrawn. The Board needs to determine if it still wants it in the Consent Agenda or voted separately. We can discuss this in more detail at Monday's meeting.

**Continued on next page – Over >**

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4. **Continued:**

**Article 14 – Extend Center Sewer District** – This Article requests to add a parcel to the Center Sewer District that abuts the Deluxe Property on Main Street. The Board had delayed taking a position on this Article until the Sewer Commission took a position. The Sewer Commission has voted unanimously to support the Article.

**Article 16 – Zoning Amendment – Marijuana Retail Establishments** – The Board delayed taking a position on this Article until after the Planning Board held its public hearing on the amendment. The Planning Board has decided to take no position on the amendment and leave it to Town Meeting to decide.

In addition, with the assistance of Town Clerk Michael Bouchard, we have revised the front page of the Warrant to alert the Public to the various options for the location of the Meeting. I would respectfully request that the Board vote to approve and issue the Warrant for the 2021 Fall Town Meeting.

5. Please see the update to the Select Board’s Meeting Schedule through the end of the year:

Monday, October 18, 2021	- Final Town Meeting Preparation - Joint Session/FinCom – FY 23 Budget Guidance - Executive Session on Collective Bargaining Prep
Saturday, October 23, 2021	2021 Fall Town Meeting
Monday, October 25, 2021	No Meeting (after Town Meeting)
Monday, November 1, 2021	- Review Town Manager’s Budget Guidance
Monday, November 8, 2021	Regularly Scheduled Meeting
Monday, November 15, 2021	Regularly Scheduled Meeting
Monday, November 22, 2021	- Potential Date for Tax Classification Hearing
Monday, November 29, 2021	No Meeting (Holiday)
Monday, December 6, 2021	Regularly Scheduled Meeting
Monday, December 13, 2021	Regularly Scheduled Meeting
Monday, December 20, 2021	Regularly Scheduled Meeting
Monday, December 27, 2021	No Meeting (Holiday)
Monday, January 3, 2022	No Meeting (Holiday)
Monday, January 10, 2022	Regularly Scheduled Meeting

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**ITEMS FOR SELECT BOARD CONSIDERATION AND ACTION**

1. Paul Fitzgerald is the current Republican Representative on the Board of Registrars. He was recently elected as the Chair of the Republican Town Committee. As an officer of a Town political committee, he is no longer eligible to serve on the Board of Registrars. The Republican Town Committee has nominated Greg Baran (716 Lowell Road) to serve as a Republican member of the Board of Registrars. The current makeup of the Board of Registrars is two Democratic members, one Unenrolled (Town Clerk) and the now open seat. There is no reason to solicit nominations from the Democratic Town Committee for this open seat, as it must be a Republican appointee. I would respectfully request that the Board appoint Mr. Baran to the Board of Registrars through June 30, 2024.

MWH/rjb  
enclosures

**LEGAL NOTICE  
TOWN OF GROTON  
PUBLIC HEARING**

The Groton Select Board has scheduled a public hearing for Monday, October 4, 2021 at 7:15 P.M., Groton Center, 163 West Main Street, West Groton, MA. The purpose of the hearing will be to consider issuing a new license for a 7500-gallon aboveground, double walled Fuel Storage Tank located at the Groton School on Farmers Row, Groton, MA. All interested parties are encouraged to attend.

**SELECT BOARD**

Rebecca H. Pine, Chair  
Alison S. Manugian, Vice Chair  
Peter S. Cunningham, Clerk  
Joshua A. Degen, Member  
John F. Reilly, Member

Groton Herald  
09/24/2021

*Robert L. Collins*  
*Attorney At Law*  
*P. O. Box 2081*  
*Westford, Massachusetts 01886*

*Telephone (978) 448-3511*  
*Facsimile (978) 448-8511*

*Groton Office:*  
*204 Gay Road*  
*Groton, Massachusetts 01450*

17 September 2021

The Groton Select Board  
Town Hall  
173 Main Street  
Groton, MA 01450

RE: Groton School  
Fuel Storage Permit

Dear Board Members:

Groton School is replacing the subsurface fuel bunker adjacent to the Boiler House with a new above ground double walled tank meeting current EPA standards.

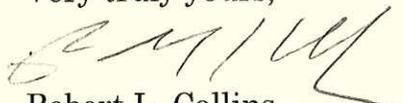
This new tank holds 7500 gallons, and is situated adjacent to the rear façade of the Boiler House. This tank will replace the subsurface 56,000 gallon fuel bunker. This bunker will be decommissioned next year; the decommissioning will follow the requisite approval process subsequent to the required testing.

The old fuel bunker stores No. 6 fuel oil; the new tank will store No. 2 fuel oil.

Thus, for this year, the fuel storage permit should be for the 56,000 gallon subsurface fuel storage bunker and one 7500 gallon above ground tank. I have reviewed this installation with both the Historic Districts Commission and the Conservation Commission; both Boards have approved this installation.

I look forward to discussing this with the Board at the hearing for the new fuel tank.

Very truly yours,

  
Robert L. Collins

NOTE: ALL RIGHTS RESERVED. THIS DRAWING MUST NOT BE REPRODUCED IN ANY FORM WITHOUT THE WRITTEN PERMISSION OF HIGHLAND TANKS. HIGHLAND TANKS SHALL BE RESPONSIBLE ONLY FOR ITEMS INDICATED ON THIS FABRICATION DRAWING UNLESS OTHERWISE NOTED. CUSTOMER IS RESPONSIBLE FOR VERIFYING CORRECTNESS OF SIZE AND LOCATION OF FITTINGS, ACCESSORIES, AND COATINGS SHOWN ON THIS DRAWING.

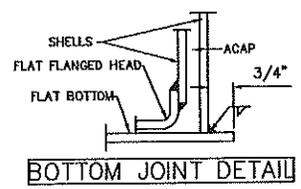
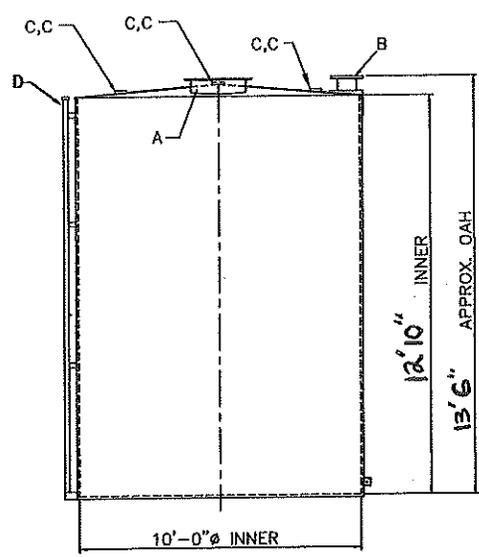
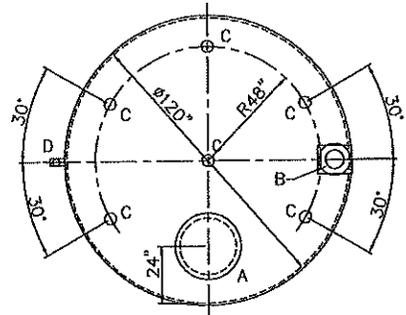
TOUCH UP OF FINISHED PAINT IS REQUIRED BY INSTALLATION CONTRACTOR. TOUCH UP PAINT SHIPPED WITH TANK.

SHIPPING LUGS AS NEEDED

- NOTES**
- SEE PLAN VIEW FOR TRUE ORIENTATION AND LOCATION OF FITTING
  - LIFTING LUGS FOR UNLOADING UNIT & STANDING UNIT UPRIGHT TO BE PLACED AS NEEDED BY FABRICATION SHOP
  - A 3x3x1/4" STEEL GROUNDING LUG WITH A 5/8" Ø HOLE IN CENTER TO BE PLACED ON SHELL AT BOTTOM OF TANK IN LINE WITH LIFTING LUGS

DESIGN DATA	
CAPACITY	-7500 GALLON
TYPE	- VERTICAL DOUBLE WALL
NO. REQ.	- -
OPERATING PRESSURE	- ATMOSPHERIC
SPECIFIC GRAVITY	= 1.0
TANK MATERIAL	- MILD CARBON STEEL
THICKNESS-TOP	- 7 GA SHALLOW SLOPE SINGLE WALL
THICKNESS-INNER-SHELL	- 1/4" BOTTOM: 1/4"
THICKNESS-OUTER-SHELL	- 7 GA BOTTOM: 1/4"
CONSTRUCTION	- LAP WELD OUTSIDE ONLY- INNER & OUTER
TANK TEST	- INNER: 2 PSIG, OUTER: - 2 PSIG & FULL VACUUM
INT. FINISH	- NONE
EXT. FINISH	- SHOP PRIMER
LABEL	- UL 142

LEGEND	
A	24" LOOSE BOLT MANWAY
B	8" FFSO 150# FLANGE IN INTERSTICE EXTENSION BOX - MARK WITH WARNING LABEL - SECONDARY EMERGENCY VENT USE ONLY
C	4" FNPT FITTING
D	2" INTERSTITIAL MONITOR PIPE
E	-
F	-



 <b>Highland Tank</b> <small>UNLESS NOTED, TOLERANCES ARE +/- .1"</small>	
<b>7500 GAL 120" Ø DW VERTICAL</b>	
CUSTOMER:	
PROJECT:	
QUOTE NO:	CHK'D BY:
SCALE: 1/4"=1'-0"	DATE: <span style="border: 1px solid black; padding: 2px;"> </span> DWG. NO: <b>8000AVDW120</b>



DIESEL

20  
NO SMOKING  
COMBUSTIBLE

MADE IN  
U.S.A.



# Groton School

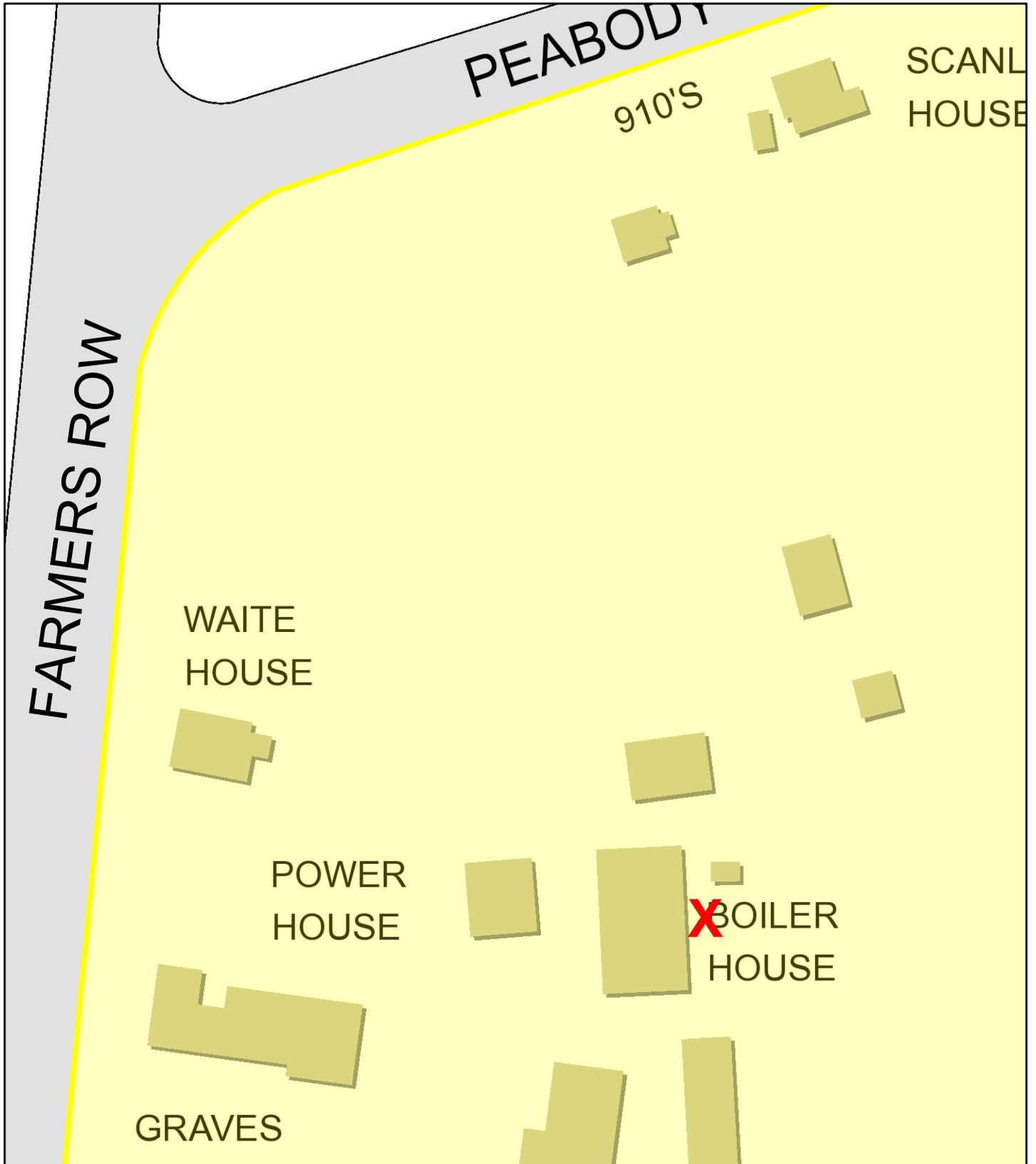
Groton, MA



October 1, 2021

1 inch = 69 Feet

[www.cai-tech.com](http://www.cai-tech.com)



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



axisgis.com/GrotonMA/

- Apps
- Imported From IE
- FrontDoor
- WB Mason - Save o...
- SiriusXM Streaming...
- From The Communi...
- Centralized Purchas...
- MassTaxConnect
- Municipal\_Rentio...
- https://www.trivoxh...
- Shippir



## Mark Haddad

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**From:** Falk, Brian R. <bfalk@MirickOConnell.com>  
**Sent:** Wednesday, September 29, 2021 5:51 PM  
**To:** Mark Haddad  
**Subject:** RE: Three motions

Mark,

This is in response to the email below concerning three potential motions for consideration by the Select Board. My responses are intended to address immediate questions as to whether the Board may move forward with these ideas as policies. Should the Board choose to move forward, I am happy to provide additional research and guidance.

My responses to the potential motions are as follows:

1. **"I move that this board instruct the chief of police, Michael Luth, to monitor the Rotten in Groton Facebook page for anything that can be construed as a hate crime and further if such a situation occurs he shall prosecute to the fullest extent of the law."**

Under M.G.L. c. 22C, Section 32, a "hate crime" is defined as:

"any criminal act coupled with overt actions motivated by bigotry and bias including, but not limited to, a threatened, attempted or completed overt act motivated at least in part by racial, religious, ethnic, handicap, gender, gender identity or sexual orientation prejudice, or which otherwise deprives another person of his constitutional rights by threats, intimidation or coercion, or which seek to interfere with or disrupt a person's exercise of constitutional rights through harassment or intimidation. Hate crime shall also include, but not be limited to, acts that constitute violations of sections thirty-seven and thirty-nine of chapter two hundred and sixty-five [felony violations of constitutional rights and assault and battery with intent to intimidate based upon protected class], section one hundred and twenty-seven A of chapter two hundred and sixty-six [felony destruction of a place of worship] and chapter two hundred and seventy-two [crimes against chastity, morality, decency and good order]."

The Town's Police Department has jurisdiction to investigate crimes and make arrests, and the District Attorney's Office is responsible for filing criminal charges and prosecuting crimes, including hate crimes. In addition, the state Attorney General's Office may bring civil cases against violations of the Massachusetts Civil Rights Act.

The powers and duties of the Police Chief are governed by the Town Charter and M.G.L. c. 41, Section 97A (the so-called "strong chief" statute). Under M.G.L. c. 41, Section 97A, the Police Department and its officers are under the supervision of the Police Chief. The Select Board appoints the Police Chief and police officers, and may approve the Police Chief's regulations for the Police Department.

The Select Board is free to take positions regarding policy matters and establish policies for "matters within its statutory authority" and "town agencies serving under it", per Section 3.2.2 of the Town Charter. However, Section 3.2.6 of the Town Charter provides that "[e]xcept in the case of an emergency, this section [3.2] shall not authorize a select board member or a majority of its members to become involved in the day-to-day administration of a town board, department or agency."

Based upon the foregoing, instructing the Police Chief with respect to specific criminal investigations and prosecutions as set forth in the proposed motion exceeds the Board's authority under the Town Charter and M.G.L. c. 41, Section 97A.

**2. I move that this board create a local bylaw to address the consequences of hate speech or hate crimes.**

Hate Speech:

A Town bylaw attempting to regulate or prohibit hate speech would likely violate the First Amendment to the U.S. Constitution, and would likely be disapproved by the Attorney General's Office as a violation of the State Constitution's parallel provisions on free speech.

Government prohibitions and regulations of "hate speech" have been found to violate the First Amendment, which provides that Congress, states, other governmental entities (including the Town) shall make no law "abridging the freedom of speech." Most recently, an 8-0 decision of the U.S. Supreme Court in *Matal v. Tam* (137 S. Ct. 1744 (2017)) reaffirmed this doctrine. In *Tam*, the Court held that a federal trademark law's "disparagement clause", which prohibited trademark registration for a music band name containing a racial slur, was unconstitutional. In so holding, the Court found that the law "offends a bedrock First Amendment principle: Speech may not be banned on the ground that it expresses ideas that offend." Further, the Court stated that when a law is aimed at "preventing speech expressing ideas that offend...that idea strikes at the heart of the First Amendment. Speech that demeans on the basis of race, ethnicity, gender, religion, age, disability, or any other similar ground is hateful; but the proudest boast of our free speech jurisprudence is that we protect the freedom to express 'the thought that we hate.'" *Tam*, citing *United States v. Schwimmer*, 279 U.S. 644, 655 (1929).

First Amendment protections for hate speech are limited by the "true threats" doctrine, where hate speech intended to threaten or intimidate may be prohibited under certain circumstances (see *Virginia v. Black*, 538 U.S. 343 (2003), upholding Virginia's ban on cross burning). Such laws, however, pertain more to hate crimes, concerning actions or threatened actions, than purely hate speech.

Hate Crimes:

With respect to hate crimes, a bylaw would first need to define what qualifies as a hate crime (e.g., a violation of another bylaw with a motive of bigotry or bias, or some other type of violation). Such a bylaw, however, may conflict with the Home Rule Amendment to the State Constitution and be susceptible to disapproval by the Attorney General's Office.

Under the Home Rule Amendment, the Town's power to enact local legislation is subject to certain limitations. First, a local bylaw may be "preempted" by a state law on the same subject in cases where (1) the Legislature has made an explicit indication of its intention to preempt local bylaws, (2) where the state law's purpose would be frustrated by a local bylaw on the same subject, and (3) where a state law on the subject is so comprehensive that, by inference, it preempts the field on the subject. I am not aware any cases or determinations of the Attorney General's office on municipal bylaws establishing local hate crimes, but I am concerned that such a bylaw may be problematic under prongs 2 and 3 above, based upon existing state hate crime statutes.

In addition to preemption, the Home Rule Amendment prohibits local bylaws on certain subjects. One prohibition provides that a town may not enact bylaws that "define and provide for the punishment of a felony or...impose imprisonment as a punishment for any violation of law." A local bylaw on hate crimes could not stipulate a penalty of imprisonment and would be limited to fines as a penalty. A fine for a bylaw violation may not exceed \$300, per M.G.L. c. 40, Sec. 21.

A local bylaw may be enforced as a criminal matter through the District Attorney's Office (to convict and impose a fine), non-criminal disposition (ticketing), or a civil action by the Town to compel compliance. The limitations of these

enforcement options may not have the desired effect of creating a sufficient penalty in addition to existing state criminal laws on this subject.

As noted above, I am concerned that a local bylaw on hate crimes may not be approved by the Attorney General, but I am happy to do additional research on this question and work with the AG's Municipal Bylaw Unit on options for local hate crimes bylaws that may pass muster.

- 3. I move that we establish a policy to be adopted by the police department to create a system to track, investigate and prevent hate crime and hate incidents. Appropriate training as to how respond to and understand patterns of hate related incidents will be provided to all officers of the department.**

As noted in #1 above, the Select Board is free to take positions regarding policy matters, but the Police Chief has jurisdiction over the day-to-day administration of the Police Department, and regulations governing the Police Department must come from the Police Chief subject to approval by the Board. For your information the Executive Office of Public Safety and Security releases annual reports on hate crimes in Massachusetts using data provided by partner law enforcement agencies: [Hate Crimes in Massachusetts Annual Reports | Mass.gov](#).



**BRIAN R. FALK**

Partner

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t 508.929.1678 | f 508.983.6256

bfalk@mirickoconnell.com | Bio



Please visit our website: [www.mirickoconnell.com](http://www.mirickoconnell.com)

Begin forwarded message:

**From:** Josh Degen <[josh@joshdegen.com](mailto:josh@joshdegen.com)>  
**Date:** September 20, 2021 at 9:34:30 PM EDT  
**To:** Dawn Dunbar <[ddunbar@grotonma.gov](mailto:ddunbar@grotonma.gov)>  
**Cc:** Mark Haddad <[mhaddad@grotonma.gov](mailto:mhaddad@grotonma.gov)>  
**Subject:** **Three motions**

I move that this board instruct the chief of police, Michael Luth, to monitor the Rotten in Groton Facebook page for anything that can be construed as a hate crime and further if such a situation occurs he shall prosecute to the fullest extent of the law.

I move that this board create a local bylaw to address the consequences of hate speech or hate crimes.

I move that we establish a policy to be adopted by the police department to create a system to

track, investigate and prevent hate crime and hate incidents. Appropriate training as to how respond to and understand patterns of hate related incidents will be provided to all officers of the department.

Josh Degen

The information contained in this electronic message is legally privileged and confidential under applicable law, and is intended only for the use of the individual or entity named above. This electronic message and any attachments may also contain information that is protected by federal and state law, including the HIPAA Privacy Rule. If you are not the intended recipient, you are hereby notified that any dissemination, copying or disclosure of this communication is strictly prohibited. If you have received this communication in error, please notify Mirick O'Connell at (508)791-8500 and delete this communication immediately without copying or distributing it.

## FIND A CHAPTER ▾



## BYSTANDER RESOURCES



 (<https://twitter.com/intent/tweet?>



## BYSTANDER INTERVENTION TRAINING

Hollaback! provides trainings on how to do your part to protect your neighbors and co-workers when bias and harassment collide in front of you.



### THE 5 D'S OF BYSTANDER INTERVENTION

The Five D's are different methods you can use to support someone who's being harassed, emphasize that harassment is not okay, and demonstrate to people in your life that they too have the power to make the community safer.

## RESPONDING AS A BYSTANDER

What's worse than being targeted with harassment because of your race, sex, religion, color, gender, size, orientation, disability, age, or origin? Being targeted while surrounded by bystanders who see what is happening, but then do nothing.

It doesn't have to be that way.

At this moment in history, we are witnessing a spike in disrespect, harassment, and hate violence. As bystanders, we need to be especially vigilant and aware of what disrespect, harassment, and hate violence look like in order to be able to stand up and intervene at a time when people need it most.

You can make a choice to actively and visibly take a stand against harassment. The Five D's are different methods you can use to support someone who's being harassed, emphasize that harassment is not okay, and demonstrate to people in your life that they too have the power to make our communities and workplaces safer.

Join our [Corporate Accomplices Program \(https://www.ihollaback.org/join-our-corporate-accomplices-program/?preview=true\)](https://www.ihollaback.org/join-our-corporate-accomplices-program/?preview=true) to empower your organization and join a global movement to disrupt harassment.

## WHAT ARE HOLLABACK!'S 5D'S?

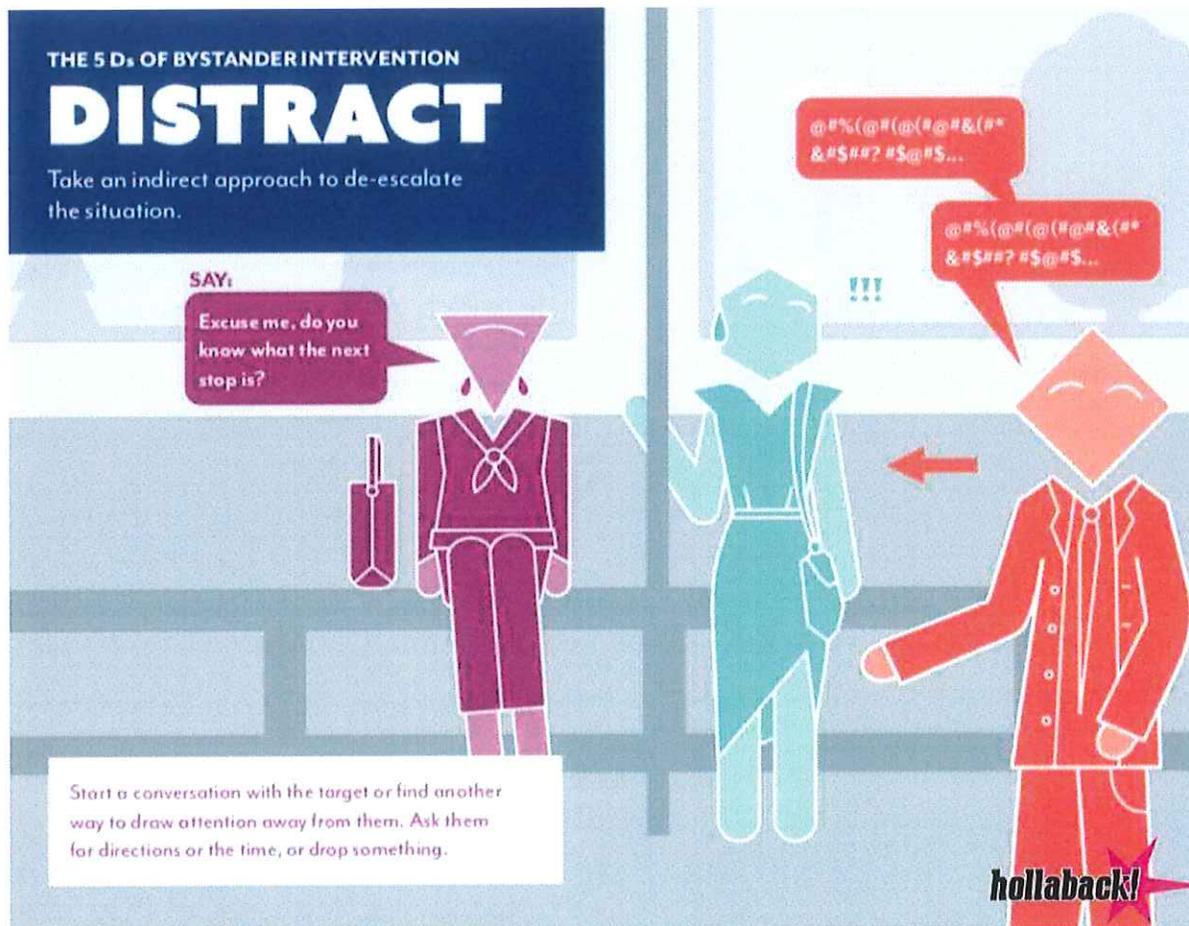
Hollaback!'s 5D's are: Distract, Delegate, Document, Delay, and Direct.

**History:** In 2012, we partnered with the bystander program **Green Dot** (<https://www.livethegreendot.com/>) (who pioneered the Three D's of bystander intervention) to develop tools to help you intervene when you see harassment happen. In 2015, we expanded those to include "delay," and in 2017 we expanded them to include "document."

## HOW DO I TRAIN OTHERS USING HOLLABACK!'S 5D'S?

We partner with organizations around the world to adapt our proven training to local cultures, contexts, and identities. There are two ways to work with us. First, we can provide the training, either by paying us as consultants or through a grant that we collaboratively apply for. Second, we also license our training methodology to organizations globally. Organization's staff members will need to go through a three day train-the-trainer and sign an MOU prior to providing the training locally, to ensure quality. Please note the train-the-trainer program is not available to individual members of the public at this time. Please email [training@ihollaback.org](mailto:training@ihollaback.org) (mailto:training@ihollaback.org) if you're interested.

## DISTRACT



Distraction is a subtle and creative way to intervene. The aim here is simply to derail the incident by interrupting it. The idea is to ignore the harasser and engage directly with the person who is being targeted. Don't talk about or refer to the harassment. Instead, talk about something completely unrelated. You can try the following:

- Pretend to be lost. Ask for the time. Pretend you know the person being harassed. **Talk to them about something random** (<https://mic.com/articles/153212/artist-marie-shirine-yener-made-a-comic-for-bystanders-who-witness-anti-muslim-harassment>) and take attention off of the harasser.

- Get in the way. **Continue what you were doing** (<https://www.youtube.com/watch?v=fzF30yRYX7I>), but get between the harasser and the target.
- Accidentally-on-purpose spill your coffee, the change in your wallet, or make a commotion.

Of course, read the situation and choose your Distract method accordingly. The person who is being targeted will likely catch on, and hopefully your act or statement will de-escalate the situation.

(In response to the rise in Anti-Asian/American harassment, we partnered with **Asian Americans Advancing Justice | AAJC** (<https://www.advancingjustice-aaajc.org/>) to adapt our bystander intervention training to meet this moment. **Sign up here**) (<https://www.ihollaback.org/bystanderintervention/>).

## DELEGATE



Delegation is when you ask for assistance, for a resource, or for help from a third party. Here are examples of what you can do:

- Find the store supervisor, bus driver, or a transit employee and ask them to intervene.
- If you're near a school, contact a teacher or someone at the front desk. On a college campus, contact campus security or someone at the front desk of a university building.
- Get your friend on board and have them use one of the methods of Distraction (eg. asking for the time, directions, or striking up a conversation unrelated to the harassment) to communicate with the person being harassed while you find someone to delegate to.
- Speak to someone near you who notices what's happening and might be in a better position to intervene. Work together.

- Call 311 or 911 (if it is safe) to request help. Before contacting 911, use Distract to check in with the person being targeted to make sure they want you to do this. Some people may not be comfortable or safe with the intervention of law enforcement. For many people and communities, a history of being mistreated by law enforcement has led to fear and mistrust of police interventions, and under the current climate, there are many communities, such as undocumented individuals, who may feel less safe in the hands of police. In certain situations, you may not be able to get to the person in which case, depending on the situation, you will need to use your best judgement.

(Join the movement and sign up for one of our interactive [bystander intervention training](https://www.ihollaback.org/harassmenttraining/) (<https://www.ihollaback.org/harassmenttraining/>) to stop harassment).

## DOCUMENT

**THE 5 Ds OF BYSTANDER INTERVENTION**  
**DOCUMENT**

It can be helpful for the target to have a video of the incident. Laws about recording in public vary, so check local laws first.

Only document the situation if it's safe.

Is anyone helping the person being harassed? If no, use one of the other 4 Ds to help them.

**TIPS FOR DOCUMENTING PUBLIC HARASSMENT**

- Keep a safe distance.
- Film street signs or other landmarks that help identify the location.
- Say the day and time.

**ALWAYS** ask the person targeted what they want to do with the footage. **NEVER** post it online or use it without their permission.

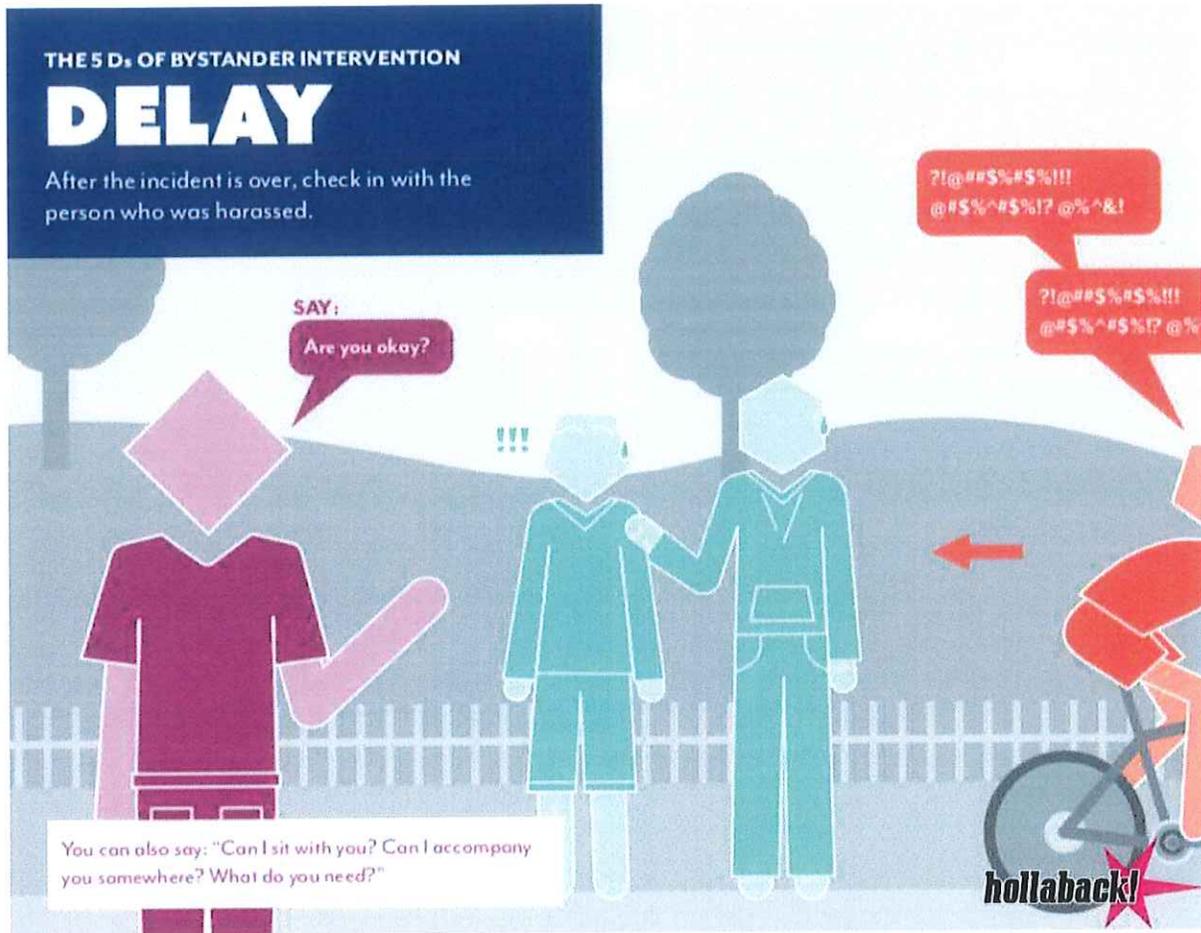
Keep your attention on the person being harassed—make sure anything you do is focused on supporting them.

**hollaback!**

It can be really helpful to record an incident as it happens to someone, but there are a number of things to keep in mind to safely and responsibly document harassment. Check out [this tip sheet](https://library.witness.org/product/filming-hate/) (<https://library.witness.org/product/filming-hate/>) from WITNESS for more details.

First, assess the situation. Is anyone helping the person being harassed? If not, use one of the other four D's. If someone else is already helping out, assess your own safety. If you are safe, go ahead and start recording. **ALWAYS** ask the person who was harassed what they want to do with the recording. **NEVER** post it online or use it without their permission. There are several reasons for this. Being harassed or violated is already a disempowering experience. Using an image or footage of a person being victimized without that person's consent can make the person feel even more powerless. If the documentation goes viral, it can lead to further victimization and a level of visibility that the person may not want. Also, posting footage without a victim's consent makes their experience public – something that can lead to a whole host of legal issues, especially if the act of harassment or violence was in some way criminal. They may be forced to engage with the legal system in a way that they are not comfortable with. Lastly, the experience could have been traumatic. Publicizing another person's traumatic experience without their consent is no way to be an effective and helpful bystander.

## DELAY



Even if you can't act in the moment, you can make a difference for the person who has been harassed by checking in on them after the fact. Many types of harassment happen in passing or very quickly, in which case you can wait until the situation is over and speak to the person who was targeted then. Here are some ways to actively use the tactic of Delay:

- Ask them if they're okay and tell them you're sorry that happened to them.
- Ask them if there's any way you can support them.
- Offer to accompany them to their destination or sit with them for awhile.
- Share resources with them and offer to help them make a report if they want to.
- If you've documented the incident, ask them if they want you to send it to them.

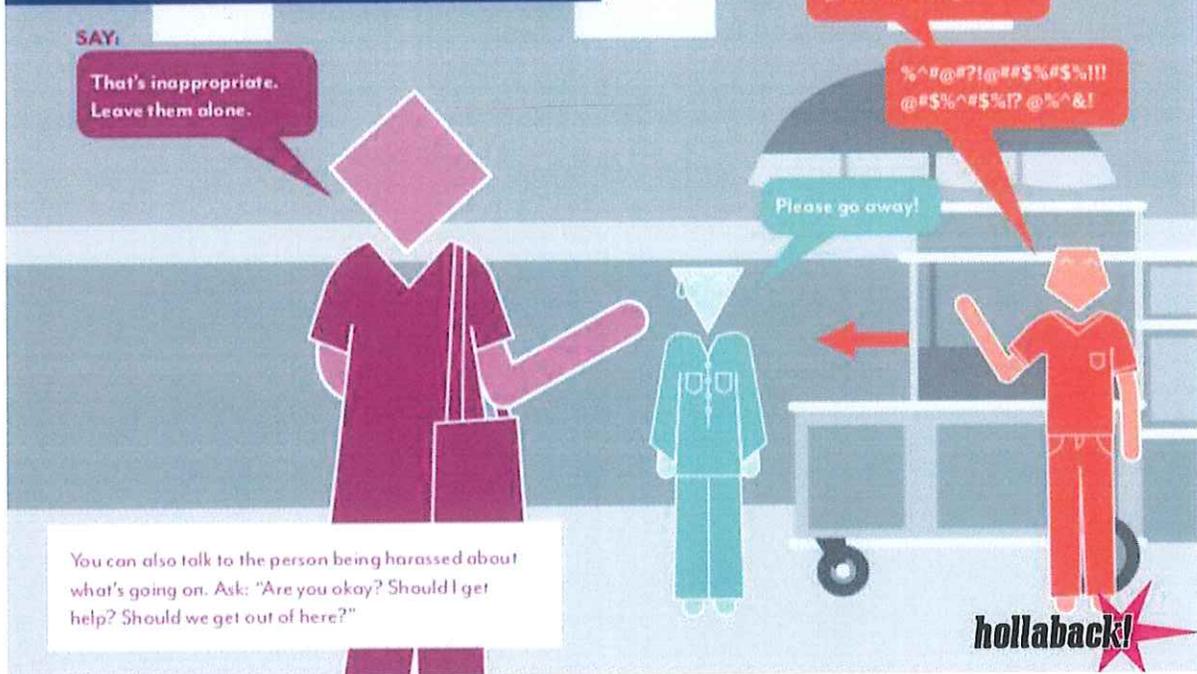
(Learn more about the 5D'S and our bystander intervention training [here](https://www.ihollaback.org/harassmenttraining/)).

## DIRECT

## THE 5 Ds OF BYSTANDER INTERVENTION

# DIRECT

Assess your safety first. Speak up about the harassment. Be firm and clear.



You may want to directly respond to harassment by naming what is happening or confronting the harasser. This tactic can be risky: the harasser may redirect their abuse towards you and may escalate the situation. Before you decide to respond directly, assess the situation: Are you physically safe? Is the person being harassed physically safe? Does it seem unlikely that the situation will escalate? Can you tell if the person being harassed wants someone to speak up? If you can answer yes to all of these questions, you might choose a direct response.

If you choose to directly intervene, some things you can say to the harasser are:

- "That's inappropriate, disrespectful, not okay, etc."
- "Leave them alone."
- "That's homophobic, racist, (insert type of harassment), etc."

The most important thing here is to keep it short and succinct. Try not engage in dialogue, debate, or an argument, since this is how situations can escalate. If the harasser responds, try your best to assist the person who was targeted instead of engaging with the harasser.

Direct intervention can be risky, so use this one with caution.

\* **A note about safety:** We don't ever want you to get hurt trying to help someone out. Always think about safety and consider possibilities that are unlikely to put you or anyone else in harm's way.

## YOU ARE POWERFUL

Remember, everyone can do something. At this time in our history, it is even more important that we show up for one another as active bystanders. Research shows that even a knowing glance can significantly reduce trauma for the person who is targeted. One of the most important things we can do is to let the person who is targeted know, in some way, however big or small, that they are not alone.

## SHARE YOUR STORY

[SHARE YOUR STORY >](https://www.ihollaback.org/take-action/share-story/)

Once you've acted, [share your story](https://www.ihollaback.org/share-story/) on Hollaback! You'll inspire others to take action, and give hope to people who experience harassment on the regular that there are folks out there ready to have their backs.

## TAKE THE TRAINING

[TAKE THE TRAINING >](https://www.ihollaback.org/harassmenttraining/)

## RESOURCES

Check out our [resources page](https://www.ihollaback.org/resources/) to find more information on how to address harassment on the street, online, or in the workplace.

## MORE WAYS TO GET INVOLVED

In addition to responding in the moment, there are other steps you can take to change culture and prevent harassment.

- **Support people experiencing harassment!** [Read](https://www.ihollaback.org/read-stories/) some of the stories submitted to our site and let folks know you've got their back.
- **Become a HeartMobber and practice bystander intervention online.** Sign up at [HeartMob](https://iheartmob.org/) to become a HeartMobber and learn how to support people facing online harassment.
- **Share the love on social media.** The more people out there that know we exist, the more impact we have. Invite your Facebook friends to our Facebook [page](https://www.facebook.com/ihollaback), give [@ihollaback](https://www.twitter.com/ihollaback) a shout-out on Twitter, and follow and re-post us [on Instagram](https://www.instagram.com/ihollagram).
- **Find** [a Hollaback!](https://www.ihollaback.org/take-action/find-a-hollaback-near-you/) in your community and volunteer.
- **Organize an action** using our [Holla! How-To](https://www.ihollaback.org/resources/holla-how-tos/) guides.
- **Any time you see someone practicing bystander intervention**, tell them they're awesome! A little positive reinforcement goes a long way.

- **Donate.** (<https://www.ihollaback.org/donate/>) If you believe that everyone should be trained in bystander intervention — and that no one should have to face harassment — donate. With your support, we'll provide free bystander intervention trainings to those most at risk of harassment: women, LGBTQ+ folks, youth, and people of color.



 (<https://twitter.com/intent/tweet?>



#### CONNECT WITH US

[holla@ihollaback.org](mailto:holla@ihollaback.org) (<mailto:holla@ihollaback.org>)

(<https://www.ihollaback.org/>) | (<https://www.ihollaback.org/company/hollaback>)

Privacy Policy (<https://www.ihollaback.org/wp/privacy-policy>) | Terms of Use (<https://www.ihollaback.org/wp/terms-of-use>)

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## DESTINATION GROTON COMMITTEE

Number of Members	Method of Selection	Length of Term	Remuneration
5	Appointed	1 Year	None

### **A. Establishment**

Increased visitors to Groton will benefit businesses and many non-profits and will generate increased revenues for the town and region. This will also create challenges that the Town must address in order to maintain its special character. The Town of Groton has a strong sense of community with a rich tapestry of non-profit organizations already providing regular community events and helping to support and make accessible Groton's fabled history, open space, cultural and recreational opportunities, farms, orchards and its quintessential New England town center. In recent years, the advent of new restaurants for fine dining and the restoration of the Groton Inn has contributed to creating Groton's strongly positive "destination" reputation. In the Fall of 2022, the anticipated opening of the Groton Hill Music Center, a world class music education and performance venue now under construction, will accelerate the pace, and increase the geographic range of people coming to Groton.

### **B. Appointment**

The Select Board shall establish a Destination Groton Committee (here in after referred to as the Committee) to be comprised of five individuals residing in and being registered voters of the Town of Groton plus liaisons to relevant Town Boards, Commissions, and Committees. The Select Board shall endeavor to appoint individuals who, by reason of their current or prior background, have special knowledge and experience to assist the Town in implementing a plan to prepare Groton to be a Destination Community, as called for in the Groton Business Association's recent report: *Destination Groton – Exploring the Possibilities*. The Town Manager shall serve as an advisor to the Committee.

### **C. Committee Charge**

The primary objective of the standing Committee shall be to pursue a course of action intended to engage all Town stakeholders, including the business and non-profit communities, Town leaders, and Town residents in a series of public information forums in order to prepare for an increase in visitors to town while at the same time work to preserve its rural small-town charm.

The Committee's work should include but not be limited to the following:

1. The Committee shall be responsible for providing direction, coordination and guidance across the many opportunities such as commercial and retail development and job creation, and challenges such as, traffic, parking and infrastructure, as Groton becomes more of a destination community all with the goal of creating a greater sense of community, quality of life and civic pride.

2. Work closely with the Town Manager and in anticipation of working with an individual appointed as the new Director of Economic and Community Development, to identify and secure funding resources from federal and state grants, as well as, potential private and/or nonprofit funding sources to address issues pertaining to tourism programming, strategic marketing, infrastructure and regional transportation mitigation.
3. Work collaboratively with other Town Committees, Boards and Commissions that can contribute to the mission and to the overall success of Destination Groton.
4. Work closely with the Groton Business Association, Groton Visitors Center, the Nashoba Valley Chamber of Commerce and other relevant regional organizations, attractions, and neighboring Towns, Groton Hill Music Center and other relevant town venues, attractions and assets to develop strategic informational and marketing materials that promote Groton's unique character and destination potential.

#### **D. Conduct**

All meetings are to be held in a public location, properly posted and open to the public in accordance with the Massachusetts Open Meeting Law. Minutes of each meeting shall be prepared and approved by the Committee within thirty (30) days of any meeting and distributed to the Town Clerk

#### **E. Membership**

**Committee Members:** The Committee shall consist of five (5) voting members made up of five (5) registered voters of the Town of Groton.

#### **F. Review Charge**

The Committee shall review the Charge periodically and make proposed recommendations to the Select Board that they believe are the in the best interest of the purpose of the Committee.

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#### **Appointing Authority**

Select Board

#### **Legal Authority**

Local: Appointed under authority of Section 3-2 of the Town of Groton Charter.

Revised: September 29, 2021

## Warrant, Summary, and Recommendations

# TOWN OF GROTON



## 2021 FALL TOWN MEETING

Groton-Dunstable Middle School Complex  
342 Main Street, Groton, Massachusetts 01450  
Masks are required.

Beginning Saturday, October 23, 2021 @ 9:00 AM

Rain Date – Sunday, October 24, 2021 @ 11:30 AM

**LOCATION NOTE:** The 2021 Fall Town Meeting will be held on the Middle School Track unless moved indoors to the Performing Arts Center (PAC) by a decision of the Moderator, after consulting with the Select Board, on October 21<sup>st</sup>. Notice will be published on [www.grotonma.gov](http://www.grotonma.gov).

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Attention – Voters and Taxpayers  
**Please bring this Report to Town Meeting**

## **Introduction to Groton Town Meeting**

Voters are familiar with casting ballots in local and state elections, but they have another important civic duty in towns, the Town Meeting.

### **What is Town Meeting?**

The Town Meeting is the legislative body in the town form of government in Massachusetts. Town Meeting is a formal gathering of registered voters who propose, debate and vote on measures. Groton holds at least two Town Meetings per year.

### **What is a warrant?**

The warrant is the official notice to voters that a Town Meeting is scheduled. The warrant includes the date, time, location and a description of each subject to be acted on at Town Meeting. In Groton, the warrant must be posted in two public places and mailed to each household 14 days in advance of Town Meeting. "The warrant must contain a sufficient description of what is proposed so as to constitute an adequate warning to all the inhabitants of the town."<sup>1</sup> "Every action taken at the meeting must be pursuant to some article in the warrant and must be within the scope of such article."<sup>2</sup>

### **How does Town Meeting proceed?**

Voters attending Town Meeting must first check in with the Clerks and receive a voting card which is required to vote. The meeting typically acts on the articles in the order they are printed in the warrant. For each article, a main motion is made and seconded by voters and placed by the Moderator on the floor for debate. Permission of the Moderator is required to speak. The Moderator presides and regulates the proceedings, decides all questions of order, and calls and declares all votes. After debate has ended, the Moderator will call for a vote by a show of voter cards. If the vote is too close to call by sight or if seven voters immediately question the Moderator's declaration of the vote, the Moderator will order a hand count to confirm the vote.

### **Who can attend?**

Town Meeting is open to the public. Only Groton voters are entitled to attend, speak and vote. Non-voters may be required to sit in a separate section. Non-voters may ask the Moderator to speak on the topic of the debate.

### **How long is town meeting?**

Town Meeting concludes when all articles on the warrant have been acted upon. Town Meeting may conclude in one session or adjourn for subsequent sessions.

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<sup>1</sup> *Town Meeting Time: A Handbook of Parliamentary Law* (page 12) Johnson, Trustman and Wadsworth, Third Edition, 2001.

<sup>2</sup> *Id.*

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

Due to the Delta Variant, the Fall Town Meeting will be held outdoors on the field behind the Florence Roche Elementary 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 and 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 one of microphones set up at various locations on the field of the Middle School Track. Please adhere to social distancing when standing in line to speak.
- 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.
- There will not be a break for lunch, but Town Meeting attendees are urged to bring a bagged lunch so that the Town Meeting can be completed in one day, if possible.
- At the end of the meeting, voters are asked to observe social distancing while exiting the field.

**LOCATION NOTE:** The 2021 Fall Town Meeting is scheduled to be held outdoors on the Middle School Track. If it appears that the weather will be unsuitable for an outdoor meeting, the Moderator, after consulting with the Select Board, may decide on October 21<sup>st</sup> move the Meeting to the Performing Arts Center if it is considered safe to hold the Meeting indoors. Notice will be published on [www.grotonma.gov](http://www.grotonma.gov). Masks will be required at either location.

Rain Date: In the event of circumstance, the Town Meeting will be held the following day, October 24<sup>th</sup> at 11:30 a.m. 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@grotonma.gov](mailto:moderator@grotonma.gov) or call 978-391-4506.

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### **Explanation of a Consent Agenda**

A consent agenda is a procedure to group multiple main motions into a single motion for voting. A consent agenda saves time by eliminating the reading of multiple motions and explanations when there are no objections or questions. In Groton, a consent agenda generally consists of articles unanimously supported by the Select Board and Finance Committee. Articles that change by-laws or introduce new spending are typically not included. In this warrant, the Select Board has grouped articles in consent agendas and labeled them for easy reference.

### **How Consent Agendas Work**

As the first step to act on a consent agenda, the Moderator will read the titles of the included articles. A voter who wishes to remove an article from the consent agenda for separate debate and vote should state "hold." The held article will be set aside and acted on after the vote on the consent agenda. After the meeting agrees on the contents of the consent agenda, there will be no debate and the Moderator will immediately call for a vote. Every motion included in the consent agenda will either pass or fail as a group. Voters should read the warrant and review the proposed consent agendas to identify articles they wish to remove for separate consideration.



## 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 several microphones set up for speaking at various locations on the Field. Please observe social distancing when standing in line to speak.

**Restrooms** – Accessible restrooms for this Town Meeting will be provided adjacent to the Florence Roche Elementary School.

**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 the Select Board's Office at Town Hall at 978 448-1111 at least one week before the Town Meeting.

**FALL TOWN MEETING WARRANT  
OCTOBER 23, 2021**

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 Groton-Dunstable Middle School Track 342 Main Street, Groton, Massachusetts in said Town on Saturday, the twenty-third day of October, 2021 at Nine O'clock in the morning, to consider the following:

**ARTICLE LISTINGS**

<b>Article 1*</b>	Prior Year Bills	5
<b>Article 2*</b>	Amend the Fiscal Year 2022 Town Operating Budget	5
<b>Article 3*</b>	Transfer Within Water Enterprise Fund	5
<b>Article 4*</b>	Transfer Money Into Capital Stabilization Fund	6
<b>Article 5*</b>	Transfer Money Into Stabilization Fund	6
<b>Article 6*</b>	Transfer Money Into the GDRSD Capital Stabilization Fund	7
<b>Article 7*</b>	Capital Purchase – Fire Chief’s Vehicle	7
<b>Article 8*</b>	Assessing Software	8
<b>Article 9*</b>	Community Preservation Funding Accounts	8
<b>Article 10*</b>	Amend Article 14, Motion 8 of the 2021 Spring Town Meeting	9
<b>Article 11</b>	Whitney Pond Well Construction	9
<b>Article 12</b>	Water Treatment Facility Construction	10
<b>Article 13</b>	Special Legislation – Change Town Clerk to Appointed	10
<b>Article 14</b>	Extend Center Sewer District	13
<b>Article 15</b>	Zoning Amendments – Clarifications, Updates, Corrections	13
<b>Article 16</b>	Zoning Amendment – Marijuana Retail Establishments	14
<b>Article 17</b>	Citizens’ Petition – Transfer of Land	16
	Report of the Town Manager to the 2021 Fall Town Meeting	19

\*Will be presented as one motion as a Consent Agenda

**ARTICLE 1: 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: *Recommendation Deferred Until Town Meeting***

**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 33 for additional information related to this Article.*

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**ARTICLE 2: AMEND THE FISCAL YEAR 2022 TOWN OPERATING BUDGET**

To see if the Town will vote to amend the Fiscal Year 2022 Operating Budget as adopted under Article 5 of the 2021 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 2022, 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 2022 Town Operating Budget was approved at the 2021 Spring Town Meeting in May, 2021. 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 2022 Operating Budget. Please see the Town Manager's Report starting on page 33 for additional information related to this Article.*

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**ARTICLE 3: 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 2022 Water Department Operating Budget for Engineering Services, or to take any other action relative thereto.

**BOARD OF WATER COMMISSIONERS**

**Select Board: *Recommended Unanimously***  
**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 2022 Water Department's Operational Expenses related to operational needs of the Water Department.*

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**ARTICLE 4: 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:** *Recommended Unanimously*  
**Finance Committee:** *Recommended Unanimously*

**Summary:** *As of the printing of this Warrant, the Fund has a balance of \$80,214. 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 33 for additional information related to this Article.*

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**ARTICLE 5: 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:** *Recommendation Deferred Until Town Meeting*  
**Finance Committee:** *Recommendation Deferred Until Town Meeting*

**Summary:** *As of the printing of this Warrant, the balance in this fund is \$2,140,794. 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 33 for additional information related to this Article.*

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**ARTICLE 6:                   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: *Recommended Unanimously***  
**Finance Committee: *Recommended Unanimously***

**Summary:** *As of the printing of the Warrant, the balance in this fund is \$18,136. This fund covers the Town of Groton's share of the Groton Dunstable Regional School District Committee's long-range Capital Plan to address its capital needs. The target amount will be provided at Town Meeting. Please see the Town Manager's Report starting on page 33 for additional information related to this Article.*

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**ARTICLE 7:                   CAPITAL PURCHASE – FIRE CHIEF'S VEHICLE**

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 under the direction of the Town Manager, to purchase and equip a new Command Vehicle for the Fire Department, and all costs associated and related thereto, or to take any other action relative thereto.

**TOWN MANAGER**

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

**Summary:** *The original proposed FY 2022 Capital Budget had called for the purchase of a new command vehicle for the Fire Department. During last year's Capital Budget cycle, due to the uncertainty of the budget, it was decided to put off this purchase until the Fall and revisit the potential funding for this purchase. Purchasing this new vehicle is important for the command operation of the Fire Department. This will provide both the Fire Chief and Deputy Fire Chief with reliable response vehicles going into the winter season. In addition, this will provide enhanced incident command and control features for both the Fire Chief and Deputy Fire Chief, which is currently only available with the Fire Chief's vehicle. This capability is vital in times when major storms, complex incidents or multiple incidents are occurring simultaneously. The anticipated cost of this vehicle is \$70,000.*

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**ARTICLE 8:           ASSESSING SOFTWARE**

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 under the direction of the Town Manager, for the purpose of upgrading the software used in the Assessing Department, and all associated costs related thereto, or to take another other action relative thereto.

**TOWN MANAGER**

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

**Summary:** *The Assessing Department is currently using Vision 6.5 for the valuation of all Real Property in the Town of Groton. Vision Government Solutions (VGSi) released Vision 8.0 in 2017. The upgrade version operates on a SQL database (**Structured Query Language** which is basically a language used by databases and allows to handle the information using tables and shows a language to query these tables) and includes an enhanced sketching program and report writing features which will allow the Assessing Department to comply with MA Department of Revenue reporting requirements seamlessly. Vision 6.5 operates on an Oracle database that is no longer supported by Oracle. As VGSi sunsets Vision 6.5, support will no longer be available. The cost of this upgrade is \$35,000.*

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**ARTICLE 9:           COMMUNITY PRESERVATION FUNDING ACCOUNTS**

To see if the Town will vote to amend the vote taken under Article 13 of the 2021 Spring Town Meeting by amending the appropriations for the Community Preservation Fund for Fiscal Year 2022 as follows:

CPC Operating Expenses:	\$ 20,500
Open Space Reserve:	\$ 93,467
Historic Resource Reserve:	\$ 93,467
Community Housing Reserve:	\$ 93,467
Unallocated Reserve:	\$633,769

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 2022. The 2021 Spring Town Meeting used estimates to fund these accounts. The Final Accounting is complete and all State reimbursements have been received. This Article updates the subaccounts that were approved at the Spring Town Meeting.*

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**ARTICLE 10: AMEND ARTICLE 14, MOTION 8 OF 2021 SPRING TOWN MEETING**

To see if the Town will vote to amend Article 14, Motion 8 "Groton Dunstable Field Restoration Plan" of the 2021 Spring Town Meeting by rescinding the appropriation as approved, and in its place approving the following appropriation:

Pursuant to Massachusetts General Laws, Chapter 44B, Section 5, that the sum of Thirty Thousand Two Hundred Thirty-Two Dollars (\$30,232) be appropriated from the Community Preservation Fund Open Space Reserve and the sum of Two Hundred Thousand Dollars (\$200,000) be appropriated from the Community Preservation Fund Unallocated Reserve for a total of \$230,232 to fund Community Preservation Application 2022-09 "Groton Dunstable Field Restoration Plan", on file with the Town Clerk,

or take any other action relative thereto.

**COMMUNITY PRESERVATION COMMITTEE**

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

**Summary:** *When this Article (project) was approved at the 2021 Spring Town Meeting, the final State Reimbursement for Community Preservation Funds had yet to be received. Based on the best estimates at the time, the Community Preservation Committee recommended that of the amount needed to fund this Project (\$230,232), \$50,000 be appropriated through borrowing. Now that the final State Match projections have been provided, there are sufficient funds within the Community Preservation Fund to pay for the project without needing to borrow any funds. The purpose of this Article is to rescind the original appropriation that required borrowing and utilize only currently available Community Preservation Funds for this Project.*

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**ARTICLE 11: WHITNEY POND WELL SITE CONSTRUCTION**

To see if the Town will vote to appropriate a sum or sums of money, by borrowing or otherwise, to be expended under the direction of the Board of Water Commissioners, to pay all of the costs of construction related to the development of the new Whitney Pond Well Site (Whitney Pond Well #3), including the payment of all costs incidental and related thereto, or to take any other action relative thereto.

**BOARD OF WATER COMMISSIONERS**

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

**Summary:** *This Article allows the Board of Water Commissioners to expend funds, either borrowed or transferred from available funds, to be raised through water rates, for the Construction related to the new source well at the Whitney Pond Well Site (Whitney Pond #3). The anticipated cost of construction will be provided to Town Meeting.*

**ARTICLE 12: WATER TREATMENT FACILITY CONSTRUCTION**

To see if the Town will vote to appropriate a sum or sums of money, by borrowing or otherwise, to be expended under the direction of the Board of Water Commissioners, to pay all of the costs of construction related to the new Water Treatment Facility to be located at the Whitney Pond Well Site, including the payment of all costs incidental and related thereto, or to take any action relative thereto.

**BOARD OF WATER COMMISSIONERS**

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

**Summary:** *This Article allows the Board of Water Commissioners to expend funds, either borrowed or transferred from available funds, to be raised through water rates, for the Construction related to the new Water Treatment Facility located at the Whitney Pond Well Site.*

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**ARTICLE 13: SPECIAL LEGISLATION – CHANGE TOWN CLERK TO APPOINTED**

To see if the Town will vote to authorize the Select Board to petition the General Court of the Commonwealth of Massachusetts to enact special legislation to change the position of Town Clerk in the Town of Groton from elected to appointed as follows:

**AN ACT RELATIVE TO THE CHARTER AND THE TOWN CLERK IN THE TOWN OF GROTON**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:*

**SECTION 1.** Notwithstanding any general or special law to the contrary, the office of town clerk in the town of Groton shall be appointed by the select board in accordance with the charter of the town of Groton. The town clerk shall have all the powers, perform the duties and be subject to the liabilities and penalties conferred and imposed by law on town clerks. The town manager may establish an employment contract with the town clerk for salary, fringe benefits and other conditions of employment, including, but not limited to, severance pay, reimbursement for expenses incurred in the performance of the duties of office, liability insurance and conditions of discipline, termination, dismissal, reappointment, performance standards and leave.

**SECTION 2.** Notwithstanding section 1, the position of elected town clerk shall be abolished upon the effective date of this act and the term of the elected incumbent terminated provided, however, that the elected incumbent shall then become the first appointed town clerk and shall serve in that capacity for a period of time equivalent to the remainder of the elected term or sooner resignation, retirement or removal. Thereafter, appointments to the position of town clerk shall be made by the town manager under said section 1.

**SECTION 3.** The charter of the town of Groton, which is on file in the office of the archivist of the commonwealth as provided in section 12 of chapter 43B of the General Laws, is hereby amended by striking out section 3.1.1, section 3.9, section 3.10, section 3.11, and section 4.5.1, and inserting in place thereof the following sections:

3.1.1 Elective Town Offices - The town offices that the voters shall fill by ballot shall be: (i) the town moderator; (ii) the members of the select board; (iii) the town's component of the Groton-Dunstable Regional School Committee; (iv) the commissioners of trust funds; (v) the elected members of the Groton Housing Authority; (vi) the members of the planning board, public library board of trustees, Groton electric light commission, Groton water commission, Groton sewer commission, park commission, board of health and board of assessors; and (vii) other officers or representatives to regional authorities or districts as may be established by law or by interlocal agreement that shall also be filled by ballot at a town election.

3.2.4 Appointing Authority - The select board shall appoint the town manager, town counsel, a zoning board of appeals and a board of registrars. The select board shall appoint a police chief, fire chief and town clerk consistent with clause (v) of section 4.2; provided, however, that the police chief shall serve under section 97A of chapter 41 of the General Laws and the fire chief shall serve under section 42 of chapter 48 of the General Laws. The select board shall appoint a conservation commission, council on aging, housing partnership, local cultural council and other committees as required by law, by-law or town meeting vote.

Section 3.9: Board of Assessors

3.9.1 Composition, Term of Office and Eligibility for Office - There shall be a board of assessors that shall consist of 3 members elected for 3-year terms. An employee in the assessors' office shall not simultaneously hold an elected position as a member of the board of assessors.

3.9.2 Powers and Duties - The board of assessors shall have the powers and duties given to boards of assessors under the constitution and laws of the commonwealth and directives of the commissioner of revenue and such additional powers and duties as may be authorized by this charter, by-law or town meeting vote that are not in conflict with laws of the commonwealth and regulations and directives of the department of revenue except as otherwise provided in this charter.

Section 3.10: Other Elected Officers

Powers and Duties - All other elected officers shall have the powers and duties that have been conferred upon their offices by law, this charter, by-law or town meeting vote.

4.2(v) if a vacancy occurs in the office of police chief, fire chief or town clerk, selecting and presenting not less than 2 qualified candidates to the select board for appointment by the board to the office pursuant to section 3.2.4;

4.5.1 If a vacancy shall occur in the office of town manager, a screening committee shall be established to solicit, receive and evaluate applications for the position of town manager. The screening committee shall consist of 7 persons, 3 of whom shall be designated by the select board, of which only 1 may be a select board member, 2 of whom shall be designated by the finance committee, of which only 1 may be a member of the finance committee, and 2 of whom shall be designated by the town moderator. A person chosen by an appointing authority may be a member of the appointing authority's agency; provided, however, that there shall not be more

than 1 select board member and not more than 1 member of the finance committee on the screening committee.

**SECTION 4.** This act shall take effect upon its passage.

provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments thereto before enactment by the General Court, which amendments shall be within the public purposes of said petition; or take any action relative thereto.

or to take any other action relative thereto.

## **TOWN MANAGER**

**Select Board: *Recommended Unanimously***

**Finance Committee: *No Position***

**Summary:** *Michael Bouchard has served honorably as our Town Clerk since 2008. He was first appointed in January, 2008 to fill a vacancy in office caused by the resignation of Onorina Maloney. He has been (re)elected six times since being appointed (2008, 2009, 2012, 2015, 2018, 2021). In each of these elections, Mr. Bouchard ran unopposed. He recently informed the Town Manager and Select Board that he intends to retire at the end of the year. While he did run unopposed for a new three-year term in May, 2021, he did so to assist the Town through a very important local election (Florence Roche Elementary School Debt Exclusion) and help plan for a transition to a new Town Clerk. That said, his intention to retire gives the Town the unique opportunity to examine the Town Clerk's position in detail and determine if the time is right to change the position from Elected to Appointed. The Town of Harvard took advantage of the elected Town Clerk's retirement to change the position to appointed, and the Town of Middleton is planning on making the change to appointed when the current Town Clerk retires. Since Mr. Bouchard was first appointed in 2008, the Town Clerk's position has changed dramatically. It has become an extremely technical job with many responsibilities that requires experience that is not always available through an election. Specifically, over the last two years, the Commonwealth of Massachusetts has completely overhauled election laws. This overhaul requires Town Clerks to understand and implement constant changes in the law. They are much more technical with more and more regulations and responsibilities. Records retention and management laws have changed over the last decade, as has the Open Meeting Law and Conflict of Interest Law. Town Clerks are now called upon more and more for advice and enforcement of these Laws. In addition, Town Clerks have the responsibility of budget development, customer service to residents, communications to boards and committees, public communications, cash management, staff management and they must be bondable. All of this requires the ability to vet (appraise, verify, and check for suitability, etc.) candidates for the position. An election does not provide for the same vetting process as an appointment provides. The purpose of this Article is to request approval of a Special Act that would change the Groton Town Clerk from an Elected Position to an Appointed Position. The Article also requests the Legislature to adjust the Groton Charter by deleting reference to the elected town clerk (Sections 3.1.1 and 3.9), adjusting the numbering of subsequent sections (i.e., new sections 3.9 and 3.10; new sections 3.9 and 3.10 do not contain any changes to the text), adding appointment language similar to Police Chief and Fire Chief and removing the Town Clerk from the Town Manager Screening Committee (Section 4.5.1).*

**ARTICLE 14: EXTEND CENTER SEWER DISTRICT**

To see if the Town will vote to extend the "Groton Center Sewer District" as established by the vote of the Special Town Meeting of February 6, 1989, under Article 7, and as shown most recently on the plan approved under Article 8 of the 2015 Fall Town Meeting of October 19, 2015, to include the property shown as Assessors' Lot 216-102 and further described as the third parcel in a Deed recorded with the Middlesex South District Registry of Deeds in Book 63144, Page 174, and its successors and assigns; provided that all costs of designing, laying, and construction of the extension and any associated connection and the cost of additional capacity and the property owner's proportionate share of the general benefit facilities, and all other costs associated therewith, are paid by the owner of the property benefited thereby, whether by the assessment of betterments or otherwise, or to take any other action relative thereto.

**TOWN MANAGER**

**Select Board:**

**Finance Committee: No Position**

**Sewer Commission:**

**Summary:** *This parcel abuts the Deluxe Property on Main Street. As part of the proposed redevelopment of that property, this parcel is being acquired by the same company purchasing Deluxe to enhance the overall redevelopment. It is important to have this property as part of the Sewer District for that purpose*

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**ARTICLE 15: ZONING AMENDMENT – CLARIFICATION, UPDATE, CORRECTION**

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

1. In Section 218-9.3 Multifamily Use, Subsections 218-9.3. B. (3) and 218-9.3. B. (5), delete the words "**Board of Appeals**" and insert the words "**Planning Board**".
2. In Section 218-3 Definitions, delete the existing definitions for **Dwelling** and **Dwelling Unit**, and replace with the following:
  - a. Dwelling – A building that contains one or two dwelling units used, intended or designed to be used, rented, leased, let or hired out to be occupied for living purposes.

- b. Dwelling Unit – A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

or to take any other action relative thereto.

### **PLANNING BOARD**

**Select Board: *Recommendation Deferred Until Town Meeting***

**Finance Committee: *No Position***

**Planning Board:**

**Summary:** *The proposed amendment corrects an internal inconsistency in the Zoning Bylaw 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 subsections as the Zoning Board of Appeals and not the Planning Board as intended in the Schedule of Use amendment. The proposed amendment to Subsections 218-9.3.B.(3) and 218-9.3.B.(5) 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 16:           ZONING AMENDMENT – MARIJUANA RETAIL ESTABLISHMENTS**

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

To amend Chapter 218 of the Town By-Laws (Zoning By-Laws)

- A. By adding the following to Ch. 218-10.4 "Marijuana Establishments" D(3) "Special Permit Requirements":
  - d. Marijuana product manufacturer
  - e. Marijuana retailer
  - f. Marijuana transportation or distribution facility
  - g. Any other type of licensed marijuana related business

B. By amending Ch. 218-5.2 "Schedule of Use Regulations" By deleting Line 112 "Marijuana establishments; any other type of licensed marijuana-related business" in its entirety and insert the following:

USE	R-A <sup>10</sup>	R-B <sup>10</sup>	NB	VCB <sup>10</sup>	GB	I	P <sup>10</sup>	O
112 <b>Marijuana establishments; any other type of licensed marijuana-related business:</b>								
Marijuana cultivator, but not including craft marijuana cultivator cooperative	N	N	N	N	PB	PB	N	N
Marijuana product manufacturer	N	N	N	N	<b>PB</b>	<b>PB</b>	N	N
Marijuana retailer	N	N	N	N	<b>PB</b>	N	N	N
Marijuana testing facility	N	N	N	N	PB	PB	N	N
Marijuana transportation or distribution facility	N	N	N	N	N	<b>PB</b>	N	N
Marijuana research facility	N	N	N	N	PB	PB	N	N
Any other type of licensed marijuana-related business including marijuana micro business	N	N	N	N	<b>PB</b>	<b>PB</b>	N	N
On-site consumption of marijuana at licensed marijuana establishment		N	N	N	N	N	N	N

Note: The **PB** shown in bold represents proposed changes from "N".

or take any action relative thereto.

**SELECT BOARD**

**Select Board:**

**Finance Committee: *No Position***

**Planning Board: *No Position***

**Summary:** At the November 8, 2016 Presidential State Election, Groton voters voted in favor of Question 4 on the ballot; Legalization, Regulation and Taxation of Marijuana. However, there were concerns over the impact this new and emerging business would have on the town. These concerns were expressed in non-binding referendum questions at the May 20, 2018 Annual Town Election where voters expressed opposition to all but two of the marijuana related activities allowed under state law; marijuana research and marijuana testing laboratories. This sentiment was affirmed again at the October 1, 2018 Special Town Meeting where voters narrowly chose to pass a zoning by-law amendment that opted Groton out of all marijuana related business with the exception of commercial cultivation and marijuana testing and research facilities. As required by state law, this more restrictive by-law required affirmation at a town election which occurred at a Special Town Election on the November 6, 2018 State Election ballot. Since that time, the marijuana business has evolved and there are numerous examples in other communities where they have operated without issue. These communities are realizing the financial benefit of these businesses through the 3% local sales tax on sales as well as community host agreements negotiated with marijuana vendors. The proponents of Groton's decision to opt out acknowledged the decision could be revisited in the future once more was known about the impact of marijuana related businesses on communities. Recognizing this, Article 22 of the 2018 Spring Town Meeting accepted the provision of state law that would allow the collection of a 3% local sales tax on the recreational sale of marijuana, should those sales be allowed in Groton. This article, if approved, would allow a business in Groton to opt into the recreational marijuana business and realize a non-property tax-based form of revenue that has the potential to be significant.

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**ARTICLE 17: CITIZENS' PETITION - TRANSFER TAX TITLE LAND**

To see if the Town will vote to transfer the title, jurisdiction, custody and control of Parcel 227 – 135 (Groton Assessors Map 227 and Parcel 135) from the Groton Tax Collector to the Groton Select Board for general municipal purposes, and further to authorize the Groton Select Board in turn to transfer such title, jurisdiction, custody and control of said Parcel to the Groton Housing Authority for use as Groton Housing Authority owned and operated housing on such terms deemed advisable by said Select Board, provided, however, that such title, jurisdiction, custody and control of said Parcel so conveyed shall be subject to reversion to the Town of Groton Select Board in the event that the housing use for which the conveyance is being made is not commenced by the Groton Housing Authority within a five year period from the date of conveyance, or to take any other action related thereto.

**CITIZENS' PETITION**

<u>NAME</u>	<u>ADDRESS</u>	<u>NAME</u>	<u>ADDRESS</u>
Donald R. Black	573 Longley Road	Katherine Bach	36 Floyd Hill Road
Kyle Petka	573 Longley Road	Karen F. Tuomi	27 Windmill Hill Road
Megan Petka	573 Longley Road	Gail Chalmers	123 Pepperell Road
Alicia W. Black	573 Longley Road	Richard Chalmers	123 Pepperell Road
Eric Bach	36 Floyd Hill Road	Robert L. Gosselin	133 Smith Street

**Select Board: Recommended (4 In Favor, 1 Deferred – Manugian)**  
**Finance Committee: No Position**

**Summary:** The following summary was prepared by the petitioners and represents their view on the Article: *This property was originally owned by the North Middlesex Mutual Aid Association and used as a training site for Firefighter training. In 2012, after going unused for many years, the Town took title to it through Tax Title Possession. This article would transfer title to the Groton Housing Authority, whose goal it would be to construct Senior Affordable Rental Housing for Groton Citizens. This transfer will help us to address the needs for affordable housing in Groton and continue our policies and strategies to meet the needs of our Seniors.*

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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 4<sup>th</sup> Day of October in the year of our Lord Two Thousand Twenty-One.

Rebecca H. Pine  
Rebecca H. Pine, Chair

Alison S. Manugian  
Alison S. Manugian, Vice Chair

Peter S. Cunningham  
Peter S. Cunningham, Clerk

Joshua A. Degen  
Joshua A. Degen, Member

John F. Reilly  
John F. 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 2021 FALL TOWN MEETING

The 2021 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 2022 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 as of August, 2021, are as follows:

Stabilization Fund:	\$2,140,794
Capital Stabilization Fund:	\$ 80,214
GDRSD Capital Stabilization Fund:	\$ 18,136
Unexpended Tax Capacity:	\$ 95,444
Certified Free Cash:	\$2,347,087

The following is a summary of Warrant Articles requesting funding:

### **Article 1: Unpaid Bills**

**Requested: \$11,602**

There is one unpaid bill owed to Nitsch Engineering for Peer Review services for the Planning Board. The amount of the bill is \$11,602 and funding will come from Free Cash.

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### **Article 2: Amend the FY 2022 Town Operating Budget**

**Requested: \$311,320**

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

1. Board of Assessors Salaries – When the budget was submitted to the 2021 Spring Town Meeting, the one-time 1.5% cash payment for the Principal Assistant Assessor was inadvertently left out of the budget. The amount needed is \$1,200 and will be funded from Free Cash.
2. Treasurer/Tax Collector Salaries and Wages – When Hannah Moller was promoted to Treasurer-Collector and Mike Hartnett became the Assistant Treasurer-Collector, Mr. Hartnett's pay was placed in the Wage Account instead of the Salary Account. He is not paid hourly, but a weekly salary. Therefore, a transfer of the funds from the Wage Account to the Salary Account (\$43,818) is required. In addition, the Town had agreed to let Mr. Hartnett carry over his accrued vacation to Fiscal Year 2022 so it would not have to be paid out in Fiscal Year 2021. It has been paid to him over the last three months. In addition, similar to the Principal Assistant Assessor issue, the one-time 1.5% cash payment to the Treasurer-Collector was inadvertently left out of the budget. The total amount needed for these two issues is \$9,320 (\$8,045 for Hartnett and \$1,275 for Moller) and will be funded from Free Cash. Finally, there was a calculation error in the Assistant to the Treasurer/Payroll Clerk's Wage Account, including a health insurance opt out. An appropriation of \$5,444 from taxation will be required to cover this shortfall.

3. Zoning Board of Appeals Wages/Park Commission Wages – The Zoning Board of Appeals Administrative Assistant retired at the beginning of the Summer. The Town Manager presented a reorganization plan to the Select Board that would transfer the duties of the ZBA Administrative Assistant to the Land Use Administrative Assistant. To allow for the added duties, the Park Commission Assistant duties were removed from the Land Use Administrative Assistant and a part-time Administrative Assistant was hired to handle Park Commission duties. To address this, \$21,017 will be transferred from the ZBA Wage Account to the Park Commission Wage Account.
4. Highway Department Wages – When the Fiscal Year 2022 Budget was presented to the Finance Committee and Select Board, several positions were eliminated from the Budget due to anticipated reduced revenues due to the impact of the Covid-19 Pandemic. One of the positions eliminated was a Highway Department Heavy Equipment Operator Position. The Town Manager requested that if any funding became available, this would be one of the positions restored. Due to the fact that the Federal Government has provided funding through the Coronavirus Recovery Relief Fund to make up for lost revenues due to the Pandemic, the Select Board has voted to authorize filling this vacancy utilizing these funds. The amount needed in the Wage Account is \$70,000.
5. Veteran's Service Officer Wages – The Town has recently hired a new Veteran's Service Officer (VSO). To assist with the transition, the retiring VSO worked an additional week providing updates and guidance to the new VSO. To fund this, a transfer of \$200 from Free Cash is needed.
6. Library Wages – Similar to the Highway Department, the Library Budget Wage Account was reduced by \$55,000 due to the anticipated loss of revenues caused by the Pandemic. This reduction put the Library Budget below the Municipal Appropriation Requirement for Certification. If a waiver is not granted, the Town would be at risk of losing state funding and the ability to participate in the Merrimack Valley Library Consortium that allows for the sharing of materials with other Libraries in the Region. Due to an increase in New Growth and Motor Vehicle Excise Tax Revenue, the Select Board and Finance Committee voted to restore this funding. The \$55,000 will come from taxation.
7. Health Insurance – Due to changes during Open Enrollment and Qualifying Events, an additional \$35,000 to cover those costs is needed in the Health Insurance Budget and \$20,000 is needed for the restoration of the Highway Department Position (total increase of \$55,000). To fund this, \$35,000 will come from taxation and \$20,000 from the Coronavirus Recovery Relief Funds.
8. Debt Service – Based on the \$8 million bond issue approved for the Florence Roche Elementary School Project, the Town will have an interest payment of \$115,156 due in March, 2022. This amount will be raised through taxation outside the levy limit as excluded debt.

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

Free Cash:	\$ 10,720
Unexpended Tax Capacity:	\$ 90,352
Excluded Debt Tax Revenue:	\$115,156
Coronavirus Recovery Relief Funds:	\$ 90,000
Total Requested:	\$306,228

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**Article 3: Transfer - Water Enterprise Fund** **Requested: \$150,000**

The Water Department will need to transfer \$150,000 out of its excess and deficiency fund to cover additional expenses in Fiscal Year 2022. Specifically, \$95,000 is to cover wages and benefits for the new Water Department employee and for another employee who has worked out of class. \$30,000 is for their Manganese Line Item in the Budget for GELD to purchase and install new power poles and a transformer for the new treatment plant. Finally, \$25,000 is for the Whitney Well #3 Building/Shed (Nashoba Tech is constructing the building and the Department is purchasing the materials and doing some minor sitework).

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**Article 4: Transfer – Capital Stabilization Fund** **Requested: \$600,000**

The current balance in this fund is \$80,214. The anticipated Capital Plan for Fiscal Year 2023 is approximately \$600,000. The Town's Financial Policies call for a balance in this Fund of 1.5% of the Operating Budget. If all the transfers and appropriations are approved under Article 2 of this Warrant, the total Fiscal Year Operating Budget will be \$42,588,159. This would require a Capital Stabilization Fund Balance of \$638,822. This Article will request a Transfer of \$600,000 from Free Cash to be added to the Capital Stabilization Fund.

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**Article 5: Transfer - Stabilization Fund** **Requested: \$0**

The current balance in the Stabilization Fund is \$2,140,794. The Town's Financial Policies state that this Fund should have a balance of five (5%) percent of our Operating Budget (\$42,588,159). This would require a balance of \$2,129,408. As of the writing of this report, the Town would not need to add to the fund, however, a decision to add funding may be made prior to Town Meeting. This will be addressed, if necessary, at Town Meeting.

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**Article 6: Transfer - GDRSD Capital Stabilization Fund** **Requested: \$560,000**

The current balance in the GDRSD Capital Stabilization Fund is \$18,136. The FY 2023 Capital Plan for the District is \$553,411. This Article will request a Transfer of \$560,000 from Free Cash to be added to the GDRSD Capital Stabilization Fund.

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**Article 7: Capital Purchase – Fire Chief’s Vehicle**

**Requested: \$70,000**

**From the Summary in the Warrant:** The original proposed FY 2022 Capital Budget had called for the purchase of a new command vehicle for the Fire Department. During last year’s Capital Budget cycle, due to the uncertainty of the budget, it was decided to put off this purchase until the Fall and revisit the potential funding for this purchase. Purchasing this new vehicle is important for the command operation of the Fire Department. This will provide both the Fire Chief and Deputy Fire Chief with reliable response vehicles going into the winter season. In addition, this will provide enhanced incident command and control features for both the Fire Chief and Deputy Fire Chief, which is currently only available with the Fire Chief’s vehicle. This capability is vital in times where major storms, complex incidents or multiple incidents are occurring simultaneously. The anticipated cost of this vehicle is \$70,000. Funding for this Article will come from Free Cash.

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**Article 8: Assessing Software**

**Requested: \$35,000**

**From the Summary in the Warrant:** The Assessing Department is currently using Vision 6.5 for the valuation of all Real Property in the Town of Groton. Vision Government Solutions (VGSI) released Vision 8.0 in 2017. The upgrade version operates on a SQL database (**Structured Query Language** which is basically a language used by databases and allows to handle the information using tables and shows a language to query these tables) and includes an enhanced sketching program and report writing features which will allow the Assessing Department to comply with MA Department of Revenue reporting requirements seamlessly. Vision 6.5 operates on an Oracle database that is no longer supported by Oracle. As VGSI sunsets Vision 6.5, support will no longer be available. The anticipated cost of this upgrade is \$35,000. Funding for this Article will come from Free Cash.

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**Article 9: Community Preservation Funding Accounts**

**From the Summary in the Warrant:** This is an accounting procedure that is necessary to ensure the Community Preservation Committee will have access to the funds raised during Fiscal Year 2022. The 2021 Spring Town Meeting used estimates to fund these accounts. The Final Accounting is complete and all State reimbursements have been received. This Article updates the subaccounts that were approved at the Spring Town Meeting.

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**Article 10: Amend Article 14, Motion 8 of the 2021 Spring Town Meeting**

**From the Summary in the Warrant:** When this Article (project) was approved at the 2021 Spring Town Meeting, the final State Reimbursement for Community Preservation Funds had yet to be received. Based on the best estimates at the time, the Community Preservation Committee recommended that of the amount needed to fund this Project (\$230,232), \$50,000 be appropriated through borrowing. Now that the final State Match projections have been provided, there are sufficient funds within the Community Preservation Fund to pay for the project without needing to borrow any funds. The purpose of this Article is to rescind the original appropriation that required borrowing and utilize only currently available Community Preservation Funds for this Project.

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**Article 11: Whitney Pond Well Construction**

**Requested: \$700,000**

This Article will authorize the Water Commission to borrow \$700,000 for the construction of a new well at the Whitney Pond Well Site. This is an important new Water Source for the operation of the Groton Water Department and has been in the Capital Plan for the past several years. Payment of the debt service on the \$700,000 loan will come from Water Rates.

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**Article 12: Water Treatment Facility Construction**

**Requested: \$10,082,000**

The Town of Groton and the Groton Water Department are under a Consent Order from the Department of Environmental Protection (DEP) to address elevated levels of manganese in the Town's Water Supply. To address this issue, a new Water Treatment Plant must be constructed. The purpose of this Article is to authorize the Water Commission to borrow the funds necessary to construct the new Treatment Plant. The Water Commission is planning on going out to bid on this project next February. This appropriation will allow them to bid the project and start construction immediately to comply with the schedule approved by the DEP. Payment of the debt service on this loan will come from Water Rates.

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Should Town Meeting agree with these appropriations, \$1,287,322 will come from the Town's Free Cash Account, leaving a balance of \$1,059,765. For the line items that are reoccurring and will be funded through taxation, the Town will use all of its unexpended tax capacity and be right at the anticipated Levy Limit for Fiscal Year 2023. The estimated tax rate at the Spring Town Meeting was \$18.09. Based on the proposed changes at the Fall Town Meeting and the increase in the excluded debt budget, the anticipated tax rate is \$18.15. The following chart is a breakdown of the anticipated rate:

	<u>Actual</u> <u>FY 2021</u>	<u>Proposed</u> <u>FY 2022</u>	<u>Dollar</u> <u>Change</u>	<u>Percent</u> <u>Change</u>
Levy Capacity Used*	\$ 32,727,034	\$ 34,088,085	\$ 1,361,051	4.16%
Tax Rate on Levy Capacity Used	\$ 16.53	\$ 17.08	\$ 0.55	3.33%
Average Tax Bill	\$ 8,381	\$ 8,660	\$ 279	3.33%
Excluded Debt	\$ 2,122,284	\$ 2,140,459	\$ 18,175	0.86%
Tax Rate on Excluded Debt	\$ 1.07	\$ 1.07	\$ -	0.00%
Average Tax Bill	\$ 542	\$ 542	\$ -	0.00%
Final Levy Used	\$ 34,849,318	\$ 36,228,544	\$ 1,379,226	3.96%
Final Tax Rate	\$ 17.60	\$ 18.15	\$ 0.55	3.12%
Average Tax Bill	\$ 8,923	\$ 9,202	\$ 279	3.12%

\*The FY 2022 Levy Limit includes FY 2021 unexpended tax capacity of \$280,997 and \$15.8 million in New Growth.

Respectfully submitted,

*Mark W. Haddad*

Mark W. Haddad  
Town Manager



## TOWN OF GROTON

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

## SELECT BOARD

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

**Town Manager**  
Mark W. Haddad

### SPECIAL ONE DAY LIQUOR LICENSE APPLICATION

Applicant's Name: Karen Hopkins

Applicant's Address: 18 Sumac Drive, Townsend, MA 01469

Applicant's Contact Information: 978-877-6933 / office@prescottscc.org  
Telephone # E-Mail Address

Organization Name: Prescott Community Center

Name of Event: Felt & Sip

Description of Event: needle felting and socializing

The Applicant is:  Non-profit Organization or  For Profit Organization

Date of Event: October 14, 2021

Hours of Event: 6:30pm-8:30pm

Location of Event: Prescott Community Center

License For:  All Alcoholic Beverages - Issued only to a non-profit organization  
 Wine and Malt Beverages Only

Applicant's Signature: Karen Hopkins Date: 09/30/2021

A completed application, along with a copy of the Applicant's Certificate of Insurance naming the Town of Groton as additionally insured, should be submitted to the Select Board's Office along with payment in the form of a bank or certified check in the amount of \$50.00 for All Alcohol License or \$40.00 for Wine and Malt Beverages Only made payable to the Town of Groton. Groton Select Board approval is required at a public meeting of the Board.

Please submit the application, certificate of insurance and payment at least 3 weeks in advance of the event for which the license is being applied.



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### SPECIAL ONE DAY LIQUOR LICENSE APPLICATION

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Applicant's Address: 18 Sumac Drive, Townsend, MA 01469

Applicant's Contact Information: 978-877-6933 / office@prescottscc.org  
Telephone # E-Mail Address

Organization Name: Prescott Community Center

Name of Event: Annual Meeting

Description of Event: Planning programming, projects & events

The Applicant is:  Non-profit Organization or  For Profit Organization

Date of Event: October 21, 2021

Hours of Event: 6:30pm - 8:30pm

Location of Event: Prescott Community Center

License For:  All Alcoholic Beverages - Issued only to a non-profit organization  
 Wine and Malt Beverages Only

Applicant's Signature: Karen Hopkins Date: 09/30/2021

A completed application, along with a copy of the Applicant's Certificate of Insurance naming the Town of Groton as additionally insured, should be submitted to the Select Board's Office along with payment in the form of a bank or certified check in the amount of \$50.00 for All Alcohol License or \$40.00 for Wine and Malt Beverages Only made payable to the Town of Groton. Groton Select Board approval is required at a public meeting of the Board.

Please submit the application, certificate of insurance and payment at least 3 weeks in advance of the event for which the license is being applied.

**SELECT BOARD MEETING MINUTES  
MONDAY, SEPTEMBER 27, 2021  
UN-APPROVED**

**SB Members Present:** Rebecca H. Pine, Chair; Alison S. Manugian, Vice Chair; Peter S. Cunningham, Clerk; Joshua A. Degen, Member; John F. Reilly, Member  
**Also Present:** Mark W. Haddad, Town Manager; Dawn Dunbar, Executive Assistant; Bud Robertson; Michael Bouchard, Town Clerk; Jason Kauppi, Moderator

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

**ANNOUNCEMENTS**

Ms. Pine commended the organizers of both Grotonfest, which was a huge success and very well attended on Saturday and the Groton History Center for their art show, Sense of Place, that was held yesterday.

Ms. Pine said that Indian Hill Music Center announced they were changing their name to Groton Hill Music Center.

Ms. Pine said that their Select Board meeting would be held at the Center in West Groton at 7pm to accommodate a larger capacity to discuss how to respond to hate and discrimination.

Mr. Cunningham said that they had an opening ceremony in Townsend this weekend for the Squannacook Rail Trail which was a really nice event.

Ms. Pine said that the Non-Profit Council would be meeting this coming Friday on Zoom at 9am.

**SELECT BOARD ITEMS FOR CONSIDERATION**

1. Mr. Haddad said that Bob and Sue Lotz had donated funding to create a Social Justice Fund that would be administered by the Trust Fund Commissioners. He said that the purpose of the fund would be used for basic needs such as housing and food, as well as education and job training, and for awareness training about social justice and diversity. Mr. Haddad said that in order for this Trust Fund to be established, both the Select Board and Trust Fund Commission must adopt and approve the Declaration of Trust. Mr. Haddad respectfully requested that the Board adopt this Declaration

Mr. Toomey called the Trust Commissioners meeting to order at 7:08pm. Members Toomey, Bielecki and McClure were present.

Mr. Lotz said that they had lived in Groton for 44 years and loved this Town. He said that they wanted to see some of the opportunities they had enjoyed available to all. He said that a social justice fund could strengthen their support of community by helping those with obstacles enjoy a better life. Ms. Lotz said that her dream for many years was a world that worked for everyone. She said that they all benefited from a diverse community.

Mr. Cunningham said that this was a good time to do this and brought this to the local level. He applauded them for their efforts and for setting this up. Mr. Degen said that this was a very kind gesture and thanked the Lotz family. Mr. Toomey said he had been a Trust Commissioner for many years. He thanked the Lotz family on behalf of the Commissioners. He said that Karen Tuomi, the anchor of the Trust Funds, had done a great job assisting them.

*Mr. Cunningham moved to adopt the agreement to establish the Social Justice Trust. Mr. Reilly seconded the motion. The motion carried unanimously between both Select Board and Commissioners of Trust Funds.*

**LIQUOR STORE LICENSE HEARING**

Mr. Haddad read the public hearing notice into record.

*Mr. Degen moved to open and continue the hearing until a little later in the agenda. Mr. Cunningham seconded the motion. The motion carried unanimously.*

**SELECT BOARD ITEMS FOR CONSIDERATION - cont.**

2. Mr. Haddad said that as the Board was aware, he and Select Board Members Pine and Degen had been working with Kevin Lindemer's Attorney to negotiate the final easement for a sewer connection to his property at 227 Boston Road through the Country Club. He said that they reviewed traffic and costs associated with installing the

sewer extension within the right of way. He said that they came to a price agreement of \$15,000 as a reasonable proposal for the easement and asked the Board to adopt that this evening. Mr. Degen said that the Sewer Commissioners were in favor of this. He said that tying up 119 would cause a traffic nightmare above and beyond what it already was.

*Mr. Cunningham moved to approve the easement agreement between Mr. Lindemer and the Town for the property located at 227 Boston Road for a price of \$15,000. Mr. Degen seconded the motion. The motion carried with a vote of 4-1 with Ms. Manugian in opposition.*

### **LIQUOR STORE LICENSE HEARING**

*Mr. Cunningham moved to reopen the public hearing. Ms. Manugian seconded the motion. The motion carried unanimously.*

Mr. Haddad said that the Town voted a couple of years ago to petition the Commonwealth for a couple of additional package store licenses adding this location off Boston Road would be an allowed site for this.

Attorney Porter introduced himself and the Patel's, owners of the proposed package store. He said that the site was roughly 2500 sqft. He said that the Patel's come from a history of a family-owned liquor store in Westford and were looking to expand their locations. Mr. Reilly asked which unit this was. Attorney Porter said it was the unit on the far-left hand side across the parking lot from Shaw's. Ms. Pine asked if they were aware there were 2 other licenses very nearby. Attorney Porter said that they knew that and thought competition was good for the Town but felt his clients were ready to see their business thrive.

Mr. Haddad said that the abutters were notified, the hearing was advertised and the application was complete.

Mr. Degen said that they had seen in recent history that there were right and wrong locations for package stores. Mr. Degen said that he was happy they came forward with their proposal and even though there were a number of stores there, he wished them the best of luck. Mr. Cunningham said that the plaza was under-developed and welcomed the Patel's to Groton. Mr. Haddad said it was nice to see business coming to that plaza.

There were no public comments.

*Mr. Degen moved to close the public hearing. Ms. Manugian seconded the motion. The motion carried unanimously.*

*Mr. Degen moved to grant an All Alcoholic Off Premise Package Store Liquor License from Shree Hari Om, LLC, dba Groton Wine and Spirits, Utsav Patel, Manager, 768 Boston Road, Groton, MA with the hours of operation to be 8am-11pm Monday-Saturday and 10am-10pm on Sundays. Ms. Manugian seconded the motion. The motion carried unanimously.*

### **TOWN MANAGER'S REPORT**

1. Mr. Haddad said he forwarded on Saturday, Town Counsels opinion on a change in location for Town Meeting which allows the Moderator to do in consultation with the Board. Mr. Haddad said he was recommending that the location remain outdoors and meet on Friday, October 22<sup>nd</sup> at 10am to make a final determination. Mr. Haddad said that he also said in his email that because they had a packed room last week and people wore masks and seemed comfortable, if they wanted to hold it inside, they could without social distancing. He said there was plenty of room to spread out.

Mr. Kauppi said that they had been fortunate to have reasonable weather at their prior outdoor town meetings but that at the end of October, it was anyone's guess. He said that this would give them additional time to speak with health experts and continue to monitor the weather and COVID.

Ms. Manugian asked what their levels were at. Mr. Haddad said that the 2-week case count in Groton had dropped from 23 to 21 positive cases. Ms. Manugian said she was uncomfortable with holding town meeting indoors. Mr. Degen was also not comfortable with holding it indoors. Ms. Pine said she was torn. She said that she had flown on an airplane and kids were going to school indoors. She added in a lot of ways it was a personal decision. Discussion ensued. Mr. Kauppi said that he could go back and review his notes on capacity limits socially distanced between the PAC, cafeteria and gymnasium.

Ms. Pine said that it sounded like they would hold the PAC as a backup plan should the weather really not cooperate. Mr. Haddad said they would come up with a notice for the front page explaining the backup plan.

2. Mr. Bouchard said that every ten years after the Federal Census was complete, the Commonwealth reviewed the population of each Town and determine if any changes in Precinct boundaries were warranted based on population shifts. He said that Groton's population had been set at 11,315. He said that based on the law, each Precinct in Groton must have a population between 3,583 and 3,961, with a target population of 3,772. Mr. Bouchard said that based on this, a shift in boundaries between Precincts 1 and 3 was required.

Ms. Manugian asked what the benefit was to equalizing the precincts. Mr. Bouchard said that it was law but also that they didn't want to overload any one precinct. Mr. Bouchard said that any household affected by this change, would be notified by the Town.

Mr. Bouchard outlined the steps for approving this starting with a vote of the Board.

*Ms. Manugian moved that the Select Board accept as presented the 2020 Re-Precincting Plan for the Town of Groton. Mr. Cunningham seconded the motion. The motion carried unanimously.*

3. Mr. Haddad said that he had appointed Cooper Wyman as the Production Assistant at the Groton Channel. He said that this was a 15 hour per week position that had been budgeted in Fiscal Year 2022.

*Ms. Manugian moved to ratify the Town Manager's appointment of Copper Wyman effective immediately. Mr. Cunningham seconded the motion. The motion carried unanimously.*

4. Mr. Haddad reviewed the Select Board's meeting scheduled for the upcoming weeks.

*Mr. Degen moved to hold a joint meeting with the Finance Committee on October 18, 2021 beginning at 6:00pm in person. Ms. Manugian seconded the motion.*

Ms. Pine wondered if it would be better to hold it on October 25<sup>th</sup>.

*The motion carried unanimously.*

Ms. Manugian asked what kind of public participation was going to be allowed at their meeting on October 4<sup>th</sup> and if they were going to have information on bystander training also.

#### **SELECT BOARD ITEMS FOR CONSIDERATION - cont.**

3. Mr. Haddad asked the Board to consider approving a one-day beer and wine liquor license for the Friends of Prescott for the Bags and Brews Cornhole Event on Saturday, October 2, 2021 from 2:00 p.m. to 5:00 p.m.

Mr. Degen said that it was his understanding that they couldn't have liquor in a Town owned building. Mr. Haddad said that they received an opinion from Town Counsel that they could.

*Mr. Degen moved to approve a one-day beer and wine liquor license for the Friends of Prescott for the Bags and Brews Cornhole Event on Saturday, October 2, 2021 from 2:00 p.m. to 5:00 p.m. at the Prescott Community Center. Mr. Cunningham seconded the motion. The motion carried unanimously.*

#### **OTHER BUSINESS**

*Ms. Manugian moved to appoint James Moore to the Diversity Task Force. Mr. Cunningham seconded the motion. The motion carried unanimously.*

Mr. Degen said he was tendering his resignation on the Diversity Task Force (DTF). He said that some people thought he had an agenda, which he did, but thought he could better serve as a member of the public and not as a Board member. Mr. Haddad said he would need something in writing for it to be effective. Mr. Haddad said that the replacement would need to be a member of the Board. Mr. Degen suggested changing the charge to remove the Select Board member. Ms. Manugian said she would be interested in serving as the Select Board member and thought it was important to be able to keep the Diversity Task Force informed of things other members may not be apprised of.

*Mr. Cunningham moved to designate Ms. Manugian to the Diversity Task Force effective October 1, 2021. Mr. Degen seconded the motion.*

Ms. Manugian said she was interested but only if the Board thought they should have representation. Mr. Degen said he could run it by the DTF and report back next week if they wanted to hold off. Ms. Pine said Ms. Manugian would be an excellent person to serve but said that they could wait to hear from the DTF.

The motion was removed.

**MINUTES**

*Mr. Degen moved to approve minutes of regularly scheduled meeting of September 20, 2021 as amended. Ms. Manugian seconded the motion. Roll Call: Pine-aye; Manugian-aye; Degen-aye; Reilly-aye; Cunningham-aye*

Ms. Pine adjourned the meeting at 8:22pm.

Approved: \_\_\_\_\_  
Peter S. Cunningham, Clerk

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

Date Approved: