



Town Manager
Mark W. Haddad

TOWN OF GROTON

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

Select Board

John F. Reilly, *Chair*
Rebeca H. Pine, *Vice Chair*
Matthew F. Pisani, *Clerk*
Alison S. Manugian, *Member*
Peter S. Cunningham, *Member*

**SELECT BOARD MEETING
MONDAY, OCTOBER 24, 2022
AGENDA
SELECT BOARD MEETING ROOM
2nd FLOOR
GROTON TOWN HALL**

- | | |
|----------------|---|
| 6:00 P.M. | Announcements and Review Agenda for the Public |
| 6:05 P.M. | Public Comment Period |
| I. 6:06 P.M. | Town Manager's Report |
| | <ul style="list-style-type: none">1. 2022 Fall Town Meeting Follow-Up2. Update from Town Manager on Former Nod Road Landfill Discussion3. Update on the Select Board Meeting Schedule Through the End of the Year |
| II. 6:10 P.M. | Items for Select Board Consideration and Action |
| | <ul style="list-style-type: none">1. Consider Appointing Charlotte Weigel as an Alternate to the Sustainability Commission |
| III. 6:15 P.M. | In Joint Session with the Finance Committee – Develop Fiscal Year 2024 Budget Guidance for the Town Manager |

OTHER BUSINESS

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

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

SELECT BOARD LIAISON REPORTS

- IV. Minutes: Regularly Scheduled Meeting of October 17, 2022

ADJOURNMENT

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



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Town Manager
Mark W. Haddad

To: *Select Board*

From: *Mark W. Haddad – Town Manager*

Subject: *Weekly Agenda Update/Report*

Date: *October 24, 2022*

TOWN MANAGER'S REPORT

Please note that Monday's meeting will commence at 6:00 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 List, there is one scheduled Item on Monday's Agenda. The Select Board will be meeting in Joint Session with the Finance Committee to develop Budget Guidance for the Town Manager to develop the Fiscal Year 2024 Proposed Operating Budget. Members of the Finance Team will also be present. Enclosed with this Report is the FY 2024 Budget Guidance Memorandum to assist you in developing guidance.

1. I have set aside time during my report to discuss any issues raised at the 2022 Fall Town Meeting that requires action by the Select Board and/or Town Manager. I will update the Board, if necessary, at Monday's meeting.
2. The Select Board requested various follow-up actions during the discussion at last week's meeting concerning the Former Nod Road Landfill. The following is a summary/status of what action has been taken:
 - a. Select Board Member Manugian asked for an opinion from Town Counsel on what liability, if any, the Town faces in the event some sort of environmental contamination/concern arises in the future, given the fact that the Town is aware it was capped under different standards than today. I have asked Town Counsel for that opinion and will provide it to the Board once received.
 - b. A resident requested further clarification from Luke Fabbri as to where it is stated that if the Town conducts any testing whatsoever, a full-blown Site Assessment would be required, as well as whether or not we should be mowing/seeding the area. The Board requested that I reach out to Mr. Fabbri. I have and am awaiting his response. I will provide that to the Board as well once received.

Continued on next page – Over>

Select Board
Weekly Agenda Update/Report
October 24, 2022
page two

2. Continued:

- c. There was a question concerning the Deed for the property and whether or not it can be amended to add that the property is a former landfill. I have found the deed (it is attached to this Report for your review). I am not sure how this can be accomplished and have asked Town Counsel for assistance. I will keep you apprised of my progress.
- d. I will be working with Tom Delaney and Nik Gualco to install the "No Trespassing – Former Landfill" signs at the locations provided to you at last week's meeting. We should have this done in the next month or so.

3. Please see the update to the meeting schedule that will take the Board through the end of the year:

Monday, October 31, 2022	No Meeting
Monday, November 7, 2022 (Virtual)	-FY 2024 Budget Update
Monday, November 14, 2022	-Meet with Library Trustees to Fill Vacancy
Monday, November 21, 2022	-Tax Classification Hearing
Monday, November 28, 2022	No Meeting
Monday, December 5, 2022	-Annual License Renewals
Monday, December 12, 2022	Regularly Scheduled Meeting
Monday, December 19, 2022	Regularly Scheduled Meeting
Monday, December 26, 2022	No Meeting (Christmas Holiday)
Monday, January 2, 2023	No Meeting (New Year Holiday)
Monday, January 9, 2023	-FY 2024 Town Manager's Budget Presentation

ITEMS FOR SELECT BOARD CONSIDERATION AND ACTION

- 1. The Sustainability Commission has requested that Charlotte Weigel be appointed as an Alternate Member of the Commission. I would respectfully request that the Board make this appointment at Monday's meeting.

MWH/rjb
Enclosures



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Town Manager
Mark W. Haddad

To: *Select Board
Finance Committee*

From: *Mark W. Haddad – Town Manager*

Subject: *Budget Guidance – Fiscal Year 2024*

Date: *October 17, 2022*

The purpose of this memorandum is to provide information to the Select Board and Finance Committee to assist in setting the Town Manager's Budget Guidance for Fiscal Year 2024.

In setting the anticipated levy limit for FY 2024, we first need to figure out the final FY 2023 Levy Limit. At this time, new growth has not been certified by the Department of Revenue, so we cannot give you the final levy for FY 2023 and need to use our best estimates. To that end, the Principal Assessor has informed me that she believes that new growth for FY 2023 will be certified at \$15 million, which will add \$257,850 to the Fiscal Year 2023 Levy. The following is the calculation that will need to be updated (if necessary) once the new growth and values are certified by the Department of Revenue:

FY 2022 LEVY LIMIT	\$	34,157,624
ADD TWO AND ONE HALF PERCENT	\$	853,941
ADD FY 2023 NEW GROWTH	\$	257,850
ADD FY 2023 OVERRIDE		
 FY 2023 SUBTOTAL	 \$	 35,269,414

The FY 2023 subtotal of \$35,269,414 will be the basis for calculating the estimated Fiscal Year 2024 Levy Limit to assist the Select Board and Finance Committee in providing Budget Guidance to the Town Manager.

In order to determine budget estimates for next year, I met with the Town's Finance Team, which is made up of me, Town Accountant Patricia DuFresne, Town Treasurer/Tax Collector Hannah Moller, Assistant Town Treasurer/Tax Collector Michael Hartnett, Principal Assessor Megan Foster, Town Clerk Dawn Dunbar, Human Resources Director Melisa Doig and Executive Assistant Kara Cruikshank.

The first item we addressed was a State Aid Estimate. Given the fact that we are five months from the new Governor submitting his/her budget and nine months from the Legislature debating and approving the budget, we have decided to level fund State Aid (\$1,077,749) at this time. I would ask you to use caution in considering this State Aid Estimate. As you are aware, Lottery Revenues is the source for Unrestricted Local Aid. A recent report in the Boston Globe has stated that for the first time, Lottery Revenues are down. This will have a direct impact on unrestricted Local Aid. Next, we addressed developing a new growth estimate for Fiscal Year 2024. To develop this estimate, I ask you to consider the following projects (both current and projected):

1. Shepley Hill
2. Hayes Woods
3. Groton Farms 40B Development

This is a short list of projects that we reviewed in developing our new growth estimate. Based on this, we are estimating \$15 million in new growth, which will generate approximately \$235,000 in tax revenue for FY 2024 based on the current estimated tax rate for FY 2023. The following is our preliminary calculation in the FY 2024 Levy Limit:

FY 2023 LEVY LIMIT	\$	35,269,415
ADD TWO AND ONE HALF PERCENT	\$	881,735
ADD FY 2024 NEW GROWTH	\$	235,000
ADD FY 2024 OVERRIDE		
 FY 2024 SUBTOTAL	 \$	 36,386,150

The final area of review was estimated receipts. In Fiscal Year 2023, we estimated \$4,917,620. In developing our estimated receipts for FY 2024, we reviewed the actual receipts based on a three-year, five-year and ten-year average. Based on this review, we made the following adjustments to estimated receipts in FY 2024:

1. **Motor Vehicle Excise Taxes** – The five-year average is \$1,799,071. Based on this, at this time, we are estimating \$1,800,000 for FY 2024, or an increase of \$16,380 over FY 2023. As is always the case, we will revisit this estimate once the FY 2023 First Commitment is released in January, 2023.

2. **Meals Tax/Room Occupancy Tax** – This has been an excellent revenue source over the last year. In Fiscal Year 2023, we increased this estimate by \$100,000 and we are confident we will reach this level. Given the fact that the first quarter of Fiscal Year 2023 generated \$35,000 more in revenues than the first quarter in FY 2022, we are estimating an additional increase of \$50,000 in FY 2024.
3. **Recreational Marijuana Revenue** – This is a new revenue line item for Fiscal Year 2024. Currently, two companies are in the process of receiving both local and state approvals to open. We anticipate one business will open in February, 2023, while the other will open in May, 2023. Under the terms of the Host Community Agreements signed with both businesses, they will have to pay the Town 1.5% of their total revenues (although this may be eliminated based on changes in State Law). Additionally, the Town will receive a 3% tax on total sales as well. Since we have no idea what this will generate, we are being ultra-conservative and are estimating an additional \$150,000 in revenues for Fiscal Year 2024 at this time. We will monitor this very closely over the next eight months and determine if it can be increased prior to setting the tax rate next Fall.
4. **Payments in Lieu of Taxes** – We have increased this line item by \$25,000 to \$325,000 in anticipation of new ticket surcharge agreed to by Groton Hill Music. Since we have yet to receive any payment under this program, it is too early to nail down a final estimate. By the time we establish the proposed budget, we may have received the first quarterly payment and can revisit this estimate.
5. **Other Charges for Services** – This line item has been increased by \$9,000 to \$99,000 to reflect the agreement we have with the Town of Dunstable to increase their reimbursement for Dispatch Services.
6. **Other Departmental Revenue** – We have increased this estimate by \$25,000 to \$800,000 in anticipation of the reimbursement from the Enterprise Funds increasing due to an anticipated increase in Health Insurance.

All told, we are anticipating an increase in Estimated Receipts in FY 2024 of \$275,380 and are estimating a total of \$5,193,000. The following chart shows a comparison of the current FY 2023 Estimated Receipts and our anticipated revenues for FY 2024:

Motor Vehicle Excise Taxes	\$ 1,783,620	\$ 1,800,000	\$ 16,380
Meals Tax and Room Occupancy Tax	\$ 350,000	\$ 400,000	\$ 50,000
Marijuana Revenue	\$ -	\$ 150,000	\$ 150,000
Penalties & Interest on Taxes	\$ 110,000	\$ 110,000	\$ -
Payments in Lieu of Taxes	\$ 300,000	\$ 325,000	\$ 25,000
Other Charges for Services	\$ 90,000	\$ 99,000	\$ 9,000
Fees	\$ 392,000	\$ 392,000	\$ -
Rentals	\$ 32,000	\$ 32,000	\$ -
Library Revenues	\$ -	\$ -	\$ -
Other Departmental Revenue	\$ 775,000	\$ 800,000	\$ 25,000
Licenses and Permits	\$ 415,000	\$ 415,000	\$ -
Fines and Forfeits	\$ 20,000	\$ 20,000	\$ -
Investment Income	\$ 50,000	\$ 50,000	\$ -
Recreation Revenues	\$ 600,000	\$ 600,000	\$ -
Miscellaneous Non-Recurring	\$ -	\$ -	\$ -
Sub-total - General Revenue	\$ 4,917,620	\$ 5,193,000	\$ 275,380

Taking all of this into consideration, we are anticipating an increase in revenues in Fiscal Year 2024 of \$1,392,115, or 3.46%, which is in line with previous years' estimates developed this early in the process. The approved FY 2023 Operating Budget (including proposed appropriations at the 2022 Fall Town Meeting) is \$42,818,858 (this excludes debt, capital and one-time free cash appropriations). Our estimated revenues would allow an overall increase in the budget of 3.25%.

In order to help the Select Board and Finance Committee provide budget guidance to me and the Finance Team, I would like to consider the following areas that will require funding increases in FY 2024:

1. **Wage Increases** – All seven unions will be entering the second (2nd) year of their three (3) year agreements. Each of the Agreements calls for a Cost-of-Living Adjustment of two (2%) percent. Taking into consideration performance incentives and step increases in the various Agreements, it is anticipated that we will need an additional \$285,261 to fund Salaries and Wages in Fiscal Year 2024.
2. **Health Insurance** – At this time, we are planning on setting aside eleven (11%) percent for Health Insurance increases in FY 2023, or \$211,814.
3. **County Retirement** – According to the Middlesex County Retirement Board, Groton will not see an increase in County Retirement in Fiscal Year 2024. This is great news.

4. **Groton Dunstable Regional School District Assessment** – I have not had the opportunity to meet with the School Superintendent and Business Manager to discuss their anticipated needs for Fiscal Year 2024. That said, following the same logic we instituted last year at this time (Average GDRSD Assessment increase over the last five years is 5.01%) and using that average as the basis for the increase, an increase in the Assessment in FY 2024 of \$1,218,398 would be required, which would take most of the anticipated new revenues to fund.
5. **Nashoba Regional Technical High School** – At this time, it appears that Groton's student population at the School in FY 2024 will be about the same as FY 2023. Therefore, we are anticipating a two and one half (2.5%) percent increase in their Assessment, or \$20,500.

The following chart shows our best estimate at what spending in FY 2024 looks like at this time to assist you in developing your guidance:

<u>Category</u>	<u>Amount Needed</u>
Wage Increases	\$ 285,261
Health Insurance	\$ 211,814
County Retirement	\$ -
GDRSD Operating Assessment (5.01%)	\$ 1,218,398
Nashoba Regional Technical (2.5%)	\$ 20,500
Total Needed	\$ 1,735,973
Anticipated New Revenues	\$ 1,392,115
Current Anticipated Deficit	\$ 343,858

I would like to point out that at this time last year, the anticipated deficit when developing guidance for FY 2023 was approximately \$320,000, so we are in line with previous years. That said, if you were to follow the formula that the School District receives sixty (60%) of new revenues, as they are sixty percent of the Operating Budget, that would reduce their set aside to \$835,269 and instead of having an anticipated deficit at this time, we would actually have a surplus of \$39,271.

I hope you find this information helpful as you deliberate on developing FY 2024 Budget Guidance for the Town Manager. The Finance Team and I look forward to discussing this with you in more detail at your joint meeting of October 24th. In the meantime, please feel free to reach out to me with any additional questions or concerns in advance of the meeting.

MWH/rjb

cc: Patricia DuFresne – Town Accountant
Hannah Moller – Town Treasurer/Tax Collector
Michael Hartnett – Assistant Town Treasurer/Tax Collector
Megan Foster – Principal Assessor
Dawn Dunbar – Town Clerk
Melisa Doig – Human Resources Director
Kara Cruikshank – Executive Assistant
Dr. Laura Chesson – Superintendent of Schools
Sherry Kersey – School Business Manager

instrument to be his free act and deed, before me John Colby Notary Public.

Middlesex ss. Oct. 21, 1903. 11h. 17m. A.M. Recd. & R.
—Attest, Edwin O. Child

Town of Groton
Agrmt.

A

Agreement, made, established, and entered into
Twelfth day of October A.D. 1903, between the Inhabitants
Town of Groton, as represented by the Selectment and D.
Toomey of said Groton. Whereas the Inhabitants of it
of Groton, did on the Fourth day of May A.D. 1880 give
of Patrick O'Brien a certain parcel of land situated on
Nod Road so called which is described in a deed
date, which is duly recorded in Middlesex South D.
Deeds Book 1540. Page 160, and whereas the bounds of
parcel of land have become so decayed or obliterated as,
be recognized or found, the present board of Selectmen
town, together with the present owner of the adjoining
the above mentioned Dennis Toomey, and another suita-
son have measured said land, and agreed upon the
following bounds. Beginning at a stone set in the ground
on said Nod Road, as mutually agreed upon, thence East
said road Twenty (20) Rods to a stone bound set in
thence turning at right angles and running Northerly
Rods by said Toomeys land to a stone bound set in the
thence turning at right angles and running Westerly by
Toomey's land Twenty (20) Rods to a stone bound set in
thence turning at right angles and running Southerly by
Toomeys land Four (4) Rods to point of beginning on said
And the said Toomey waives all claims for either damage
pass, or removal of material, that may have been made at
time by said Inhabitants or their employees, by encroachment on
premises For testimony whereof we have this day at-
tioned subscribed our names and affixed our sea-
l
Witness Charles Woodcock
Dennis ^{his} Toomey Seal

**SELECT BOARD MEETING MINUTES
MONDAY, October 17, 2022
UN-APPROVED**

SB Members Present: John F. Reilly, Chair; Matthew F. Pisani, Clerk; Alison S. Manugian, Member; Peter S. Cunningham, Member

Virtual: Rebecca H. Pine, Vice Chair;

Also Present: Mark W. Haddad, Town Manager; Kara Cruikshank, Executive Assistant to the Town Manager; Michelle Collette, Groton Board of Health; Carol Coutrier, The Greenway Committee; Marion Stoddard, Former Groton Resident; Evan Thackaberry, Groton Board of Health

John Reilly called the meeting to order at 7:00 PM and reviewed the agenda.

ANNOUNCEMENTS

Mr. Reilly reviewed the agenda.

Mr. Haddad made an announcement that on Wednesday, October 19th 6 to 7pm, a Mass Citizens Climate Forum Conference will be held. This will be at the Kent Recital Hall, 367 North Street in Fitchburg, MA. Ms. Pine added it will be a hybrid event.

PUBLIC COMMENTS

No public comments were made.

TOWN MANAGER'S REPORT

1. Consider ratifying the Town Manger's appointment of William Seldon as an Election Worker.

Ms. Manugian made the motion to ratify the Town Managers appointment of William Seldon as an Election Worker. Mr. Pisani seconded the motion. Roll Call: Manugian-aye; Pisani-aye; Cunningham-aye; Reilly-aye; Pine-aye.

2. Update on the Select Board Meeting Schedule Through the End of the Year

Mr. Haddad would like to update the meeting schedule that will take the Board through the end of the year.

Monday, October 24, 2022	Meet with FinCom to Establish FY 2024 Budget Guidance
Monday, October 31, 2022	No Meeting
Monday, November 7, 2022	Meet Remotely (due to the room being unavailable because of the Election)
Monday, November 14, 2022	Meet in Joint Session with the Library Trustees
Monday, November 21, 2022	Tax Classification Hearing
Monday, November 28, 2022	No Meeting
Monday, December 5, 2022	Annual License Renewal
Monday, December 12, 2022	Regularly Scheduled Meeting
Monday, December 19, 2022	Regularly Scheduled Meeting
Monday, December 26, 2022	No Meeting
Monday, December 26, 2022	No Meeting
Monday, January 9, 2022	FY 2024 Town Manager's Budget Presentation

SELECT BOARD ITEMS FOR CONSIDERATION

1. Review Town Meeting Motions and Article Assignments

Mr. Haddad has provided the Board with the Motions for Town Meeting and their assignments. The Planning Board held a Public Hearing for the Proposed Citizens' Petition for the rezoning of 797 Boston Road. The Planning Board is not comfortable bringing this Article to Town Meeting because there was no public outreach by the Proponent. The Planning Board did not make a recommendation on the Article. If they do not make a recommendation, Town Meeting can not vote on the Article. The Proponent is aware and could possibly bring the Article back to Spring Town Meeting.

Mr. Haddad reviewed the Articles with the Select Board Members. Some important information about the following Articles were discussed:

Article 10: Electronic Voting at Town Meeting

The Electronic Voting Committee will be doing a demonstration as part of their presentation at Town Meeting. Everyone at Town Meeting will receive a clicker as a mock trial.

Article 11: Funding to Remove Building

Mr. Cunningham said the Board of Health took a position to support the Article. The Finance Committee voted unanimously against the Article, Mr. Haddad said. They believe it should be part of the Capital Budget.

Article 12: CPC Prescott Elevator

This is an Out of Cycle Application for the Community Preservation Committee. Therefore, Mr. Haddad is asking the Select Board to present this motion.

Article 15: Citizens Petition- Rezone the 797 Boston Road

Mr. Haddad has revised motions and the Article will be postponed. Mr. Reilly will be moving this article.

Article 16: Citizens Petition- Extend Center Sewer District

The Sewer Commission has voted unanimously against this Article. Mr. Orcutt will make this presentation at Town Meeting on behalf of the Sewer Commission.

Articles 17, 18, 19 – The Moderator will be reaching out to the Proponent. Mr. Haddad said they do not have motions for these Articles.

Mr. Haddad said he will post a meeting for 8:45am, before Town Meeting in the event that something comes up.

Former Nod Road Landfill – Follow up Discussion/Action

Ms. Collette, Board of Health Chair, and Members of the Greenway Committee were in attendance for the discussion. Mr. Haddad wanted to lead the discussion for the former Nod Road Landfill. He explained Mr. Luke Fabbri did a Preliminary Site Assessment on the landfill presented the information during a previous Select Board Meeting. Mr. Haddad said the former landfill was capped 46 years ago. Mr. Fabbri recommended to monitor the Landfill but not do any more investigation. Mr. Fabbri suggests posting no trespassing signs and to cut some trees back so they do not encroach on the property. DEP is not currently saying to do anything on that site. Mr. Haddad and ConsCom Administrator, Nik Gualco, worked collaboratively to figure out where the no trespassing signs should be located. Mr. Haddad presented the locations on the smart board. Mr. Haddad reiterated, this was capped to the standards in 1976 and no environmental concerns have been brought to our attention. This would have to go to DEP if we decided to recap this. If this needed to be recapped, Mr. Fabbri estimated this could cost 3 to 5 million dollars to today's standards.

Public Comments/Questions

The Greenway Committee Member, Carol Coutrier, was in attendance. She would like to clarify the area is leaching, assuming it is iron, orange in color. Ms. Coutrier asked if they could do an inexpensive chemical test to see what else is leaching into the river? Mr. Haddad said, if you do any testing you will need to report the testing to DEP.

Mr. Pisani said the signage should have been put up once it was capped. Mr. Cunningham said it is a positive that it is all municipal water in that area. Mr. Haddad said he is going to work with the DPW on the mowing. Ms. Pine asked Mr. Haddad to inquire if it is allowed ,with mowing, to seed the areas that needs grass to stabilize it other than having bare earth.

A Nod Road resident asked if on the deed of this parcel, to be clear on the town records, it can be notated there is a landfill. Ms. Manugian viewed the deed, nothing is previously notated on the deed about a landfill.

Evan Thackaberry, from the Groton Board of Health, said he believes it is a fair assumption that there is nothing toxic. He believes they are all in agreement about the pollution and to post signage that shows non-motorized vehicles.

Ms. Manugian asked Mr. Haddad to inquire with Luke Fabbri and/or Town Counsel to see what liability the town has, if they do not do something about the landfill at this time.

Mr. Reilly wanted to thank the Greenway Committee, Board of Health and residents for attending.

OTHER BUSINESS

No Other business

MINUTES

Mr. Cunningham made a motion to approve the minutes of the regularly scheduled meeting on October 3, 2022. Ms. Manugian seconded the motion. Roll Call: Manugian-aye; Pisani-aye; Cunningham-aye; Reilly-aye; Pine- abstain.

LIASON REPORT

Ms. Manugian said there was a School Committee Meeting last week. They are having significant concerns about the potential need to maybe taking away some of the ARPA positions they brought in. The students need these supports to stay in place. They may be coming forward to discuss.

Ms. Manugian also asked if in November they can get a quick update about the additional revenue for the Florence Roche School.

The meeting was adjourned at 8:03PM

Approved: _____
Matthew F. Pisani, Clerk

_____ respectfully submitted: Kara Cruikshank,
Executive Assistant to the Town Manager

Date Approved: