

SELECT BOARD MEETING MINUTES
MONDAY, APRIL 13, 2020
APPROVED

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

Also Virtually Present: Mark W. Haddad, Town Manager; Dawn Dunbar, Executive Assistant; Jason Kauppi, Town Moderator; Melisa Doig, HR Director; Patricia Dufresne, Town Accountant; Michael Bouchard, Town Clerk; Jonathan Greeno, Principal Assistant Assessor; Michael Hartnett, Tax Collector/Treasurer; Michael Chiasson, IT Director; Finance Committee Members – Bud Robertson, Takashi Tada, Land Use Director; Tom Delaney, DPW Director; Colby Doody, Scott Whitefield, Mary Linskey, Art Prest, David Manugian; CPC Members – Dan Emerson, Bruce Easom

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

ANNOUNCEMENTS

Mr. Robertson called the Finance Committee to order at 7:02pm.

Ms. Pine said that the online version of the Groton Herald was now available free of charge to those without a subscription with the help of the Trust Fund Commissioners.

Ms. Pine said that with Loaves and Fishes closing, the GDRSD and Council on Aging had set up two distribution sites, one on Tuesday's at the Middle School and one Monday-Friday at the Center by appointment, to help those still receive food donations.

Ms. Pine said that the Commissioners of Trust Funds had funds available to assist families in need and encouraged people to reach out to Karen Tuomi.

Ms. Pine wanted to give thanks and commendations to all Town employees in addition to what Ms. Manugian stated at the last meeting. She said that they had seen an amazing response from employees under the current conditions.

Mr. Giger said that he was pleased with all the work that was being done by all employees and by those who lived within the Town that were providing care to sick or elderly residents. Mr. Giger said that based on this, he suggested last week that a visible thank you be put up in the center of town on the Police Departments sign board.

Ms. Manugian announced that there was a vacancy on the NVTHS Committee and thanked Patricia Madigan for her years of service.

TOWN MANAGER'S REPORT

1. Mr. Haddad said that he issued a press release on action taken by the Select Board last week after their meeting. He said that the stay at home order was in effect through May 4th, that Sargisson Beach was closed and that he cancelled the contract with the YMCA for lifeguards. Mr. Haddad said that he also added wording to the warrant about the status of the Spring Town Meeting and possible delays that still could occur due to COVID-19. He provided the Board with an update of items that were worked on and completed last week also by his office.

Mr. Haddad said that the Governor had also recently implemented additional guidelines with regard to grocery stores, including a reduction in allowable persons in the store to 40% of its occupancy. He said he would be working with the Board of Health and Police Department to make sure this was adhered to.

2. Mr. Haddad said that the recently passed Municipal Relief Legislation had provided for relief for tax payers. He said that specific relief was given on the due dates of property taxes, as well as, allowing Towns to waive interest and penalties on taxes. Mr. Haddad said that the Town Treasurer/Tax Collector was requesting that the Select Board vote to take the following action:

Move that the Town vote to extend tax deadlines and waiver of interest and penalties, as follows:

- a. The date real estate, personal property and water district taxes are due from May 1, 2020 to June 1, 2020.
- b. Waive the payment of interest and penalty in the event of late payment of any excise tax, betterment assessment or apportionment, water rate, annual sewer use, or other charge added to a tax for any payments with a due date on or after March 10, 2020, and that this waiver may only be given if payment is made after its due date but before June 30, 2020.

Mr. Degen moved that the Board implement the Municipal Relief Act Provision for all payments as referenced by the Town Manager through June 30, 2020 and extend the due date for taxes to June 1, 2020. Ms. Pine seconded the motion. Roll Call: Manugian-aye; Giger-aye; Reilly-aye; Pine-aye; Degen-aye

3. Mr. Haddad said that the Board of Assessors would like to extend the due date for Exemption Applications and had requested that the Select Board move to vote as follows:
 - a. Pursuant to Chapter 53 of the Acts of 2020, the Select Board adopts the local option to extend due date applications for Real Estate exemptions from April 1, 2020 to June 1, 2020.

Mr. Degen made the motion. Ms. Manugian seconded the motion. Ms. Pine asked for the difference between an abatement and an exemption. Mr. Haddad provided definitions of both. Roll Call: Manugian-aye; Giger-aye; Reilly-aye; Pine-aye; Degen-aye

4. Ms. Manugian asked for an update on restaurant inspections. Mr. Haddad said he had no update but would for their next meeting.

7:15PM - PUBLIC HEARING - SPRING TOWN MEETING WARRANT

Mr. Haddad read the hearing notice into the record.

Mr. Degen moved to open the public hearing on the 2020 Spring Town Meeting warrant. Ms. Pine seconded the motion. Roll Call: Manugian-aye; Giger-aye; Reilly-aye; Pine-aye; Degen-aye

Mr. Haddad said that they added a notice into the front of the warrant about Town Meeting and the election date. He said that Town Meeting would be held on Monday, May 18th at 7pm as of right now. He said that they had 22 articles, 10 which were consent agenda articles.

Mr. Haddad began reviewing the warrant articles. Mr. Haddad asked the Board and Finance Committee to hold off discussing Article 4 as the budget was still being adjusted. Mr. Degen said that there was a projected shortfall that they would have more information about after Wednesday's meeting with the School Committee. Mr. Degen suggested postponing Article 5, OPEB, until the fall to see what kind of cash they had available. Mr. Haddad said the OPEB Trust Policy said that they would fund it every year so that the net present liability didn't increase. Mr. Haddad said he wanted to make sure they met all their financial obligations this spring including OPEB. Mr. Haddad said that by not funding this, they were possibly digging that hole deeper adding they needed to keep their financial situation as solid as possible when going out to bond on Florence Roche next year. Mr. Haddad added that by pushing it off until the fall also pushed which years free cash it came out of. He said that in the fall they would be taking that money out of FY21 free cash thus funding 2 years' worth of OPEB out of the same fiscal year. Mr. Degen said he would like the Finance Committee to further discuss this article adding that they would have another \$177K on hand which he thought would be more helpful to them. Mr. Robertson said that the Finance Committee would discuss this at their meeting on April 21st. Ms. Manugian said that their continued exposure and the fact that they didn't want to lose ground on funding OPEB was more important than pushing it off adding it might also make it appear like an optional obligation in the fall.

Mr. Manugian asked why they wouldn't request a reserve fund transfer for the generator project, Article 7, at the Police Station instead of having a separate warrant article. Mr. Robertson said that the Finance Committee could discuss that at their

meeting next week. Mr. Degen asked if the generator was the same age of the building. Mr. Delaney said that it was. Mr. Giger said it was important that they got the manual transmittal switch put in should they need a portable generator at some point.

Mr. Haddad said that the anticipated budget for the MS4 Permit, Article 8, among other related items also including a new position was \$985,000 over 5 years. He said that they would be asking the Select Board in the fall to issue an annual fee of \$47 per parcel. Mr. Delaney said that this was a draft budget. He said that the town meeting article would establish the enterprise fund adding they would need to vote on the budget at the Fall Town Meeting. Ms. Pine asked if they would discuss the budget at Town Meeting. Mr. Delaney said that they had planned on showing this at the Town Meeting as the worst-case scenario. Ms. Pine asked if they were talking about a new employee or a shift of an employee. Mr. Haddad said that they would be looking for a new employee. Mr. Degen asked if there was any advantage to having a firm come in to do this work on an annual basis. Mr. Delaney said that the cost would be the same, most likely, adding the flexibility to do this on their terms and time would not be there.

Mr. Haddad said that he asked for two (2) CPA articles to remain on the warrant, the sprinkler system at Prescott School and the Housing Coordinator. Mr. Haddad said that the bid opening for the sprinkler system would be on April 15th. Mr. Robertson asked how much was left in previous CPA funds for this. Mr. Haddad said that there was \$220K left in the original appropriation. He said that the CPC had \$125K set aside and were just waiting for bids to come in. Mr. Degen said that if he was one of the contractors watching this he would be bidding at the amount put out there already. Mr. Haddad said that it wasn't unusual for bidders to request project cost estimates in advance. Mr. Degen said that this was a flawed process in his opinion.

Mr. Tada explained the re-codification zoning bylaw warrant article, Article 10.

Mr. Haddad said he asked for the acceptance of Amelia Way, Article 11, to be left on the warrant adding they were ready to move forward with it. Mr. Haddad said that they did not need to hold another public hearing on this as per an opinion provided by Town Counsel.

Mr. Haddad said that Articles 12-22 were in the Consent Agenda and reviewed those articles. There was a brief discussion about unpaid bills from prior fiscal years and whether this should be included in the Consent Agenda.

Mr. Degen left the meeting at 7:58pm and returned at 8:03pm.

Mr. Haddad said that should Town Meeting need to be postponed past May 18th, that decision would fall in the hands of the Moderator who could extend the date in 30-day intervals but no later than 30 days past the state of emergency. Mr. Haddad said that the town election was scheduled for June 9th based on the May 18th date of Town Meeting. Mr. Kauppi said that they had discussed different options for holding town meetings that would be further discussed in the weeks to come. Mr. Bouchard said that he was going to encourage a lot of absentee voting in order to keep the large number of people out of the polls, to allow for social distancing, for sanitary purposes, etc. He said that they needed to see how things played out with the COVID-19 situation and continue to monitor the virus in the weeks and months to come. Mr. Bouchard said that the Select Board could further delay the election but it needed to be at least 20 days before the June 9th election date and could be no later than June 30th. Mr. Haddad said that there could be some synergy between the Select Board and the Moderator when discussing town meeting and the election. Mr. Prest said that he agreed with Mr. Bouchard, adding that the poll workers tended to be those most vulnerable to this virus. Ms. Pine asked Mr. Bouchard to explain the process for obtaining an absentee ballot. Ms. Pine asked if they wanted to consider mailing ballots to all registered voters. Mr. Bouchard said that that would require a change in the state law in order to do that. Mr. Giger said that they should encourage voters to seek absentee ballots sooner rather than later. Mr. Degen asked if they could ask the IT Department to put something on their website regarding this.

Mr. Haddad asked the Board to continue the public hearing to next Tuesday, April 21st at 5:00pm. Ms. Pine made the motion. Mr. Reilly seconded the motion. Roll Call: Manugian-aye; Giger-aye; Reilly-aye; Pine-aye; Degen-aye

The Finance Committee adjourned their meeting at 8:26pm.

TOWN MANAGER'S REPORT - CONT.

5. Ms. Manugian thanked the Board for allowing her and Ms. Pine more time to bring forward suggestions on adding comments into the review of the Town Manager. She said that just having a numerical evaluation lacked communication and didn't tell all of the story. Ms. Pine said that the absence of comments shortchanged the Town Manager and didn't provide a clear message to the employee.

Mr. Giger said that he had given this a lot of thought. He said that there was confusion with the purpose of annual evaluations. He said that as a general rule, the purpose was to take a realistic snapshot of the performance and provide a vehicle between the supervisor and the employee on strengths, areas for improvement and goals. He said that performance problems were different from an annual performance evaluation. He said that performance issues needed to be dealt with as they were occurring and not let to build until they burst. Mr. Giger said that changing the evaluator number to names was something they could do but needed to be given to Town Counsel for review. He said that any member of the Board writing Town Manager annual evaluations should not use this to impact their reelection and didn't think the bringing politics into this was in good practice. He said that he did not support reviewing previous performance evaluations adding that the environments were different, etc. Mr. Giger said that he did not support the proposed changes brought forward by Ms. Manugian and Ms. Pine.

Ms. Manugian said that they were not suggesting that people review prior years evaluations but that they have some comments and not just numbers. Mr. Degen said he fully supported their names being attached to their numerical evaluations. He said he didn't think it was political but thought the public should know who the evaluator was. Mr. Degen said he would not support having a meeting to hash out what comments they would want included. Mr. Degen proposed adding a section that allowed each member to give concise comments not to exceed 200-250 words and that it lists the pros and cons. He said it was also important that the Town Manager have a section where he could respond. Mr. Reilly said that based on this discussion, they were going back to 5 sets of comments. Mr. Reilly said that the numbers gave a good indication of performance strengths and weaknesses adding that allowing the Town Manager an opportunity to sit down with each member gave the employee a good idea of where they were coming from. Ms. Pine said she wanted to see comments and was fine with Mr. Degen's suggestion. Mr. Reilly asked how this was different than how it was done in the past. Mr. Degen said that the numbers would be the numbers. He said that the comments would be at the end of the compilation and put into the summary document. Mr. Giger said that this would have to be run by Town Counsel and thought that some of it would not be in conformance with the rules and regulations (OML). Ms. Degen said he didn't want their individual evaluations shared. Mr. Giger said that they were heading back toward the process and document that they used in the past. Mr. Haddad agreed that what they were discussing was no different than what they had done in the past adding they were heading toward releasing all evaluations instead of the summary as was stipulated in the Charter. Mr. Degen said that the numbers would be compiled and put into a summary sheet adding that the individual comments should be from each member and 200-250 words or less. He said he didn't want to see each evaluation released to the public. Mr. Haddad suggested compiling the numerical review, discuss at the Select Board meeting the numerical compilation and have a further discussion about the review. He said that the Chair would then draft a summary from that meeting, allow time for the Town Manager to respond and that would be what would become part of the summary. Mr. Haddad suggested running that by Town Counsel to make sure it's compliant. He said that the only way to add comments was to do it at a public meeting. Ms. Manugian said she would run both ideas by Labor Counsel. Mr. Giger was not in favor with adding comments. Mr. Reilly cited how difficult this discussion had been adding compiling comments would not be easy either. Mr. Robertson said that the numbers should be explained no matter what.

6. Mr. Haddad said that he had updated the Tax Recap Summary to reflect action discussed at their last meeting and reviewed the document. Ms. Manugian asked that the school capital be separated from the town's capital. Mr. Haddad said that he would have this available for the Finance Committee for their meeting next week.

MINUTES

Mr. Degen moved to approve the meeting minutes of March 30, 2020 and April 6, 2020. Ms. Pine seconded the motion. Roll Call: Manugian-aye; Giger-aye; Reilly-aye; Pine-aye; Degen-aye

Ms. Manugian asked for a motion to enter into Executive Session at 9:15pm and not return to Open Session Pursuant to M.G.L., c. 30A, §21(a) clause 3 – To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. Ms. Pine made the motion. Mr. Reilly seconded the motion. Roll Call: Manugian-aye; Giger-aye; Reilly-aye; Pine-aye; Degen-aye

Approved: _____
John Reilly, Clerk

_____ respectfully submitted:
Dawn Dunbar, Executive Assistant

Date Approved: 4/21/2020