

**SELECT BOARD MEETING MINUTES
VIRTUAL MEETING
MONDAY, MAY 4, 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; Bud Robertson, Finance Committee Chair; Nik Gualco, Conservation Administrator

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

TOWN MANAGER'S REPORT

1. Mr. Haddad reviewed a summary of what had transpired as of last week with regard to Town Hall activity. He said that the following was completed:
 - a. Issued a press release on Tuesday updating the Public on action taken by the Select Board last Monday including postponement of the Memorial Day Parade, changed election hours and instituted a temporary leash law.
 - b. Issued his weekly update on the Groton Channel.
 - c. Attended the Florence Roche Building Committee Meeting (by Zoom) last Tuesday evening. The Committee finalized the Preferred Schematic Report (PSR) for submission to the MSBA on May 5th. He said that the submission of the PSR was the next important step for the project. He said that the Building Committee voted unanimously to recommend the construction of a new Florence Roche Elementary School on the site of the current Middle School Track. He said that the size of the building was approximately 110,000 square feet and the estimated cost was approximately \$80 million. He said that the next step in the process was for the Town to meet with the MSBA on June 3, 2020. Mr. Haddad said that from there, the Project would be presented to the MSBA Board of Directors for approval on June 24th. Mr. Haddad said that once the project was approved by the Board of Directors, they would move into schematic design.

Mr. Haddad said that who was going to bond this project needed to be discussed, should the project be approved by the MSBA and Town Meeting. He said that according to Bond Counsel, the Town of Groton could not bond this project because of language contained in the regional agreement. He said that the project would have to be bonded by the District, which would require a vote of approval by both Town Meetings in Groton and Dunstable. Mr. Haddad said that they would need to amend the regional agreement in order for an individual Town to bond the project. Mr. Haddad said that he would like to see Groton bond the project and have the regional agreement amended as such. Ms. Manugian asked if the Town of Groton bonded the project, who would own the building. Mr. Haddad said that the Town would not have to maintain ownership adding they could turn it over to the District even before the bond was paid off. He said that he was concerned more about the interest and the bond rating and why he was recommending that the Town of Groton bond the project. Ms. Pine said that if they took over the bonding of the building and owned the land it would be cleaner for the Town to own the building. Ms. Manugian said she didn't see any benefit to the Town to own the land and the building. Mr. Haddad said there was no benefit adding there would be a lease in name only. He said that the district covered everything having to do with the building and the land. Mr. Degen said that the district should own the building and the land.

Mr. Degen asked if the debt would be level over the life of the bond. Mr. Hartnett said that that was the preferred option. Ms. Pine said that the more she was hearing, the more she thought they should own the building. Mr. Degen said they could negotiate a right of first refusal with the district. Mr. Hartnett said that they should also check in with their auditors to discuss having \$80M in debt with no asset to show for it on their books to see if that would be an issue.

- d. Mr. Haddad said that they finalized the Warrant for Town Meeting and sent it to the printer. He said that residents should have received the Warrant in the mail over the weekend. He said that the Constable posted the Warrant last Thursday at the Town Hall on the front door and at the Police Station.

Mr. Haddad said that due to the fact that Town Meeting would most likely not be held on May 18th, he invited Town Moderator, Jason Kauppi to the meeting to discuss alternatives. Mr. Kauppi said that after consulting with the Select Board and Board of Health, the Moderator could use his emergency authority under state law to change the date and location of the meeting. Mr. Degen said that he was not comfortable going into a building, even if everyone wore masks. He said that he had suggested holding Town Meeting outdoors and thought they should proceed that way. Mr. Kauppi said that the Moderator could postpone for up to 30 days and up till 30 days after the State of Emergency was lifted. Ms. Pine asked about field use for youth sports and their ability to not be able to use a field. Mr. Haddad said that he would have to check with the Park Commission and sports organizations. Mr. Robertson asked about the use of presentations. Mr. Haddad said that he and Ms. Dunbar had discussed this and figured they would keep everything to a paper handout. Mr. Reilly said that he was okay with holding it outside but that he was concerned about weather and asked how quickly they could change the date, etc. Ms. Manugian asked if the Town Meeting had to be continued to a time certain. Mr. Kauppi said that it did. Ms. Pine said that her preference was to find a way to meet before June 30th to avoid having to vote a 1/12th budget. Mr. Kauppi said that he was more concerned about making sure they could meet safely even if that meant they had to wait until after July 1. Ms. Manugian said that she was also concerned about having to approve a 1/12th budget adding it was not as easy as it seemed. Mr. Haddad said the municipal budget would not necessarily be a 1/12th budget adding they had more obligations in July than in August and September as an example. Mr. Haddad said that the Director of Accounts at the DOR would have to approve a 1/12th budget after approval by the Select Board before they could move forward with it. Mr. Haddad said he was more comfortable after a meeting he had today with his Finance Team to hold off if they needed to adding the health and safety of the public was more important.

Mr. Degen said that in the event they were not able to work out indoor or outdoor options, he said that they were going to be planning for the Fall Town Meeting pretty quickly after that and suggested the option of holding both Town Meetings at the same time in September and work off 1/12th budgets. Mr. Haddad said that there was no provision in the Charter to not hold a Spring Town Meeting adding that the possible date in September could only happen if it was no more than 30 days after the State of Emergency was lifted. Ms. Pine asked about waiting on some of the articles and the urgency of them such as the Housing Coordinator, the Sprinkler System, and MS4 permit enterprise fund as examples. Mr. Haddad said that the Housing Coordinator funding would have to be something that they look into because it was salary related but added that everything else could and would have to wait.

Mr. Haddad said that regardless of what date Town Meeting occurred on, the election had to take place on June 9th. He said that this was different than what he had told the Board last week after receiving clarification on the Governor's Order. Mr. Haddad said that they were really pushing the absentee ballot process. Mr. Bouchard said that the word was getting out and seemed to be working.

2. Mr. Haddad asked the Select Board to extend their local stay at home order through May 18th in line with the Governor's Order.

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

3. Mr. Haddad asked the Board to approve the proposed Memorial Park and Common Policy as presented.

Mr. Degen moved to approve Memorial Park and Common Policy subject to ratification by the Park Commission. Mr. Reilly seconded the motion. Ms. Manugian said she would support this but didn't love where automatic naming rights were given. Roll Call: Pine-aye; Degen-aye; Giger-aye; Reilly-aye; Manugian-aye

4. Mr. Haddad said that they weren't able to come up with a list of all religious holidays and asked the Board to consider adopting the policy without the addition of a list.

Ms. Pine moved to adopt the Meetings on Holidays Policy. Ms. Manugian seconded the motion. Mr. Giger said they hadn't defined the holidays. Ms. Manugian said that the Interfaith Council had not been able to provide them with a list. Mr. Giger said that they should continue to define them rather than not include anything at all. Mr. Haddad said that he and Ms. Dunbar would work on a list and bring it back to a future meeting.

5. Mr. Haddad said that the Chair had contacted Labor Counsel about the Town Manager Review Policy. He said it appeared that any of the 3 options the Board adopted relative to the policy would be appropriate. Ms. Manugian said that there were 3 options that were available to them.
 1. Proceed forward as presented by Member Giger in past meetings - evaluation is purely numerical and only the summative document is retained long term.
 2. Proceed forward by adding individual member ½ page comment opportunity to the numerical evaluation presented in item #1. Regulations would need to set expectations such that a future comment submission not in compliance could be rejected by the Select Board. Long term retention could include summative document and comments only.
 3. Proceed forward by adding individual member ½ page comment opportunity to the numerical evaluation presented in item #1. Regulations would need to set expectations such that a future comment submission not in compliance could be rejected by the Select Board. Long term retention would include individual numerical responses, summative document and comments.

Ms. Pine moved that they approve option 3 as part of the Town Manager Review Process. Mr. Degen seconded the motion. Roll Call: Pine-aye; Degen-aye; Reilly-nay; Manugian-aye; Giger-nay

Mr. Haddad asked Ms. Manugian to send him the final wording so that he would provide the final policy to the Board.

6. Mr. Haddad said that Select Board Member Pine was proposing an additional policy for Board consideration that would provide for a "Mid-Year Check-In" between the Select Board and Town Manager. Ms. Manugian said that her feeling was that things that were added to the agenda when brought to their attention and wasn't sure they needed a specific time to discuss things and didn't think they needed this. Ms. Pine said that under the OML things were more difficult for them and thought they needed a time to touch base in between the annual review. Ms. Pine said she didn't see them wanting to invoke the opt-out provision but thought a check in was important. Mr. Degen said that it should not be in a public session but in a workshop setting. He said with public input, it could get out of hand. Mr. Giger said that he was where Mr. Degen was adding he was startled to hear Ms. Pine's comments about having it in an open session. Mr. Reilly said that he was against the public having the ability to comment. He said that he couldn't think of a situation where they would need to discuss this within the public parameter.

Mr. Haddad said that the performance issue was part of the annual review which would be completed sometime in September. He said that he met with a few of them weekly and talked with many of them multiple times a week. He said that this policy came across as though they had issues and needed to schedule a time to discuss the Town Manager. He said he didn't understand why they needed another scheduled check-in and was a little offended by the policy adding it was always assumed there was a problem. He said that this policy came at it like there were problems. He said he felt like problems were being looked for that didn't exist. Ms. Pine said that she had poor wording in her first draft and didn't think there were problems adding this was about them managing their employee as a Board because they couldn't talk about it together. She said it was good for the Board, the public and the Town Manager to have a check-in. Mr. Degen said he had heard from 3 of them that they were not in favor of this and suggested that they move on.

7. Mr. Haddad said that he had drafted Protocols for the reopening of Town Hall to employees and the public once the Governor and Select Board lifted the shelter-in-place, non-essential business orders. He said that these protocols were drafted in conjunction with their local Health Agent and Fire Chief. He said that they had been reviewed and commented on by all Town Hall employees and Department Heads. Mr. Haddad said he believed they were comprehensive and would allow for a safe return to work for their employees and opening of their municipal buildings to the public. Mr. Haddad said that the Country Club General Manager had also drafted protocols for the opening of the Country Club and the Conservation Administrator had drafted protocols for the opening of the Farmers Market in conjunction with the Williams Barn Committee Chair.

Mr. Haddad reviewed the attached draft protocols.

Mr. Haddad said that protocol would also limit public meetings to zoom for 3 months after the order had been lifted. Ms. Manugian asked if there should be something included that they had the right to make changes as they came up with the State or local government. Mr. Haddad said they could add wording. Mr. Giger said that there would be some fine tuning as they work through re-opening. Ms. Pine said the amount of work put into this was impressive adding there were a lot of requirements to clean things and asked whose job it would be. Mr. Haddad said that the custodial staff would be in charge of that adding they would have to figure some of it out as they get back in. Mr. Haddad said that the restrooms were the most concerning and had to work out those details. Mr. Degen suggested language for sanitization in the break room. Mr. Haddad said he wanted to add language about eating at your desk and had not done that. Mr. Giger suggested adding language that the lunch room be limited to one person at a time.

Mr. Haddad said that the protocols for the Farmers Market was the next one he wanted to discuss. He said that Mr. Gualco had done a great job putting this together. Mr. Gualco said that the protocols had synthesized down the MDAR's guidance. Mr. Degen said that Leo Wyatt, Chair of the Williams Barn Committee reached out to him adding he wanted to see the Market continue. He said that handling of produce needed to be avoided. He said that music should be suspended and spelled out within the protocol. He said that the cleaning of the porta toilet needed to be looked at and addressed. Mr. Gualco asked if it was possible to limit use of a porta toilet to just the vendors. Mr. Haddad said he didn't think there was no requirement that they had one but would double check with the Board of Health. Ms. Manugian asked what the enforcement would look like and if someone didn't abide by the rules. Mr. Gualco said that enforcement was something he and Mr. Wyatt talked about adding they were willing to step up as needed. Mr. Gualco said that he liked the idea of not allowing someone back for the rest of the season adding it showed the severity of this. Ms. Pine asked about vendors that were not supplying critical supplies and not allowing kids to accompany parents. Mr. Gualco said that they had the idea of asking the Fire Chief to set an occupancy number which would help with crowds. Mr. Gualco said that the Committee had obtained a handwashing station. He said that he thought the Board should allow for an opportunity for this to continue this year adding the participation by vendors was going to be lessened anyway. Mr. Giger suggested limiting the hours if they were not going to have a porta toilet available.

Mr. Haddad said that the final protocols were for the Country Club. He said that the golf was the easiest service to re-open. Ms. Manugian suggested adding wording that they were optimistic but were unsure of whether they were opening the camps at all. Mr. Robertson suggested language about masks if they were going to require them.

Mr. Haddad said that he would bring back all the protocols back next week for possible adoption.

Mr. Degen asked about the Transfer Station, Senior Center and Library. Mr. Haddad said that the Senior Center would follow the Town Hall protocols with some additional recommendations. He said that he was not in charge of the Library but that he had been working on their re-opening protocol with the Director. Mr. Haddad said that he was not planning on changing the Transfer Station protocols that were already in place. Mr. Giger asked for a unified protocol for the Town fields also. Ms. Manugian said she hoped the Library Trustees would follow suit with the Town's policies.

8. Mr. Haddad said it provided the Board with the article assignments.

9. Mr. Haddad reviewed the Board's upcoming agendas.

OTHER BUSINESS

Mr. Haddad said that the Board of Health agreed with the Select Board on changing the date and location of Town Meeting, solidified the Governor's Order of masks being worn and asked the Police Department to enforce the wearing of masks, gently. He said that Mr. Grossman said they were seeing a down turn in the number of cases adding it was more important to adhere to guidelines.

Mr. Haddad asked the Board to consider extending the signing of warrants through June 11th.

Ms. Manugian moved to authorize the Town Manager and Mr. Giger to review and authorize the warrants on their behalf through June 11th. Ms. Pine seconded the motion. Roll Call: Pine-aye; Degen-aye; Giger-aye; Reilly-aye; Manugian-aye

MINUTES

Ms. Pine moved to approve the minutes of April 27, 2020 as presented. Mr. Degen seconded the motion. Roll Call: Pine-aye; Degen-aye; Giger-aye; Reilly-aye; Manugian-aye

Ms. Manugian asked for a motion to enter into ES at 9:07pm Pursuant to Massachusetts General Laws, 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" – Purpose – Collective Bargaining with the Town's Seven Unions.

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

Approved: _____

John Reilly, Clerk

respectfully submitted:

Dawn Dunbar, Executive Assistant

Date Approved: 5/11/2020