

**SELECT BOARD MEETING MINUTES
VIRTUAL MEETING
MONDAY, MAY 18, 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; Steele McCurdy, Fire Chief; Mike Luth, Police Chief; Nik Gualco, Conservation Administrator; Bud Robertson, Finance Committee Chair; Tom Delaney, DPW Director; Shawn Campbell, Country Club General Manager; Takashi Tada, Land Use Director; Leo Wyatt, Williams Barn Committee Chair; Paul DeRensis, Town Counsel

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

ANNOUNCEMENTS

1. Mr. Haddad said he was sad to report that their Veterans Agent, Bob Johnson had passed away. He said that Mr. Johnson was a huge part of their community and was sad to hear of his passing.
2. Mr. Haddad said he had asked Chief McCurdy and Tom Delaney to be present to provide an update on the storm they had the past Friday night. He said that the work the public safety departments did was phenomenal and wanted to thank them publicly.

Chief McCurdy said that they had a significant thunderstorm that came through northern Massachusetts on Friday night around 8:30pm. He said that calls started coming in almost immediately into Dispatch. He said that crews from all public safety divisions got right to work to address multiple hazards that had occurred. He said that 2 people were injured by fallen trees and added that the storm only lasted about 5-10 minutes but would require a multi month cleanup process. He said that 27 buildings were assessed but that they were likely double that that sustained damage. He said they worked throughout the night Friday and all-day Saturday to address hazards. Tom Delaney also thanked all departments and his own employees for the hard work and collaborative effort. He said that some roads were closed overnight adding they had a month's worth of work or better to clean up from the event. He said that he didn't think he would be able to do all this work in house and might need to hire outside for help. Mr. Haddad said he would like to allow the residents for the next couple of weeks to use the Transfer Station to bring their brush free of charge and asked the Board to let him know if they had an issue. Mr. Degen asked if this included contractors who were doing cleanup for people. Mr. Delaney said he didn't want to allow contractors to dump brush at the Transfer Station adding there was no guarantee that it was debris from Groton from this storm. Mr. Delaney said that his recycling center sustained damage, adding his new warehouse had a window blown out, a shed at Cow Pond Fields was damaged to other buildings. Mr. Haddad said that reimbursement would not be coming from MEMA because Groton was not declared a disaster zone adding they would have to utilize the reserve fund for this. Ms. Pine provided her commendation for the work that was done by the public safety officials during this time. Mr. Reilly said he was amazed by the coordination and mutual aid that was brought in to assist. Mr. Greeno said that the Board of Assessors might be able to do something value wise for 2021 for those displaced by this storm and suggested residents contact his office.

3. Ms. Pine said that the Affordable Housing Trust met last week and voted to send a letter to Bob France demanding a final accounting for the Boynton Meadows project. She cited a press release on the Town's website under the Affordable Housing Trust's page.

TOWN MANAGER'S REPORT

1. Mr. Haddad provided an update on action taken by the Town Manager's Office since the last Select Board meeting as found in the Town Manager's Report.

2. Mr. Kauppi said that there were 15 motions under the budget for Town Meeting adding most didn't yield debate. He said that there might be other options for passing the budget adding one option was to place them in a consent agenda and another was to put them into larger motions. He said that as part of the consent agenda, someone could ask that one part be held out so that it could be debated. Mr. Robertson said that he was concerned at first about not doing a presentation on the budget but as he talked through it, it was a year that was very different in that Town Meeting would be outside and the only presentation would be through a handout. Mr. Robertson said he was concerned about not presenting the overall presentation but that they could put the presentation and budget message on the website in advance of the Town Meeting. He said he was okay with not going through the presentation this year because of the current circumstances. Ms. Manugian said she thought it made a lot of sense and wasn't impartial to one process or the other as described by the Moderator.

3. Mr. Haddad said that he, Mr. Robertson and Mr. Degen had a meeting with the Friends of Prescott who were on track to meet their budget. He said that the Friends had offered some online classes due to COVID and had a lot of success with that. He said that year three of their contract, which ran between Sep 1-Aug 31 showed that they needed the sprinkler system to meet their budget so that they could use the second floor. Mr. Haddad said that he reached out to Xcel, the sprinkler system contractor, and would be meeting with them to discuss the project in the next couple of weeks. He said that one thing Xcel brought forward was an issue with the contractor who would lay the line into the building. He said that that sub was no longer able to perform the work and was hoping to find a replacement that would meet the price quoted. He said that the Board would need to amend the current lease for year 3 to provide them access to the second floor if the sprinkler system was to be installed. Mr. Degen said he thought they should open the lease to add the second floor should Town Meeting vote for the sprinkler system. Ms. Manugian said that the lease expansion could be done after voting on it at Town Meeting and installation of the system adding it was not something that needed to be done right away. Mr. Giger said that the lease did not spell out needing the use of the second floor but for a single sentence in one section. He said that the second floor remained non-ADA compliant adding there was no elevator. He said that the sprinkler system was not going to solve everything. Ms. Pine said that activities would not be scheduled for the second floor adding the interest in that floor was those renting space where the public would not be allowed such as an artist. Ms. Manugian said that they needed to be mindful of chemicals and the like before renting out to artists and suggested they waited on this discussion.

4. Mr. Haddad said that the Governor provided Phase I of his reopening of the State earlier that day. He said that essential businesses could continue but that manufacturing, construction, place of worship, fire arms and retailers could open effective May 18th. He said that businesses with less than 25% occupancy could open, hair salons, barbershops, pet groomers by appointment and certain outside activities could open effective May 25th. Mr. Haddad said he was recommending that Town Hall not open until June 1st, adding he was concerned about keeping their restroom facilities clean on an active basis as well as the breakroom and wanted time to fine tune those procedures. He said that the Center was not slated to reopen to July 6th and wasn't impacted. He said that the Library was not slated to open until July 7th and was not impacted. He said that the Country Club would continue in the fashion it had been since May 8th. He said that the pool was slated to open on Memorial Day but would not be able to open until Phase II on June 8th. He said that they wanted to only open the pool to Groton residents, but had sold, prior to the pandemic, 22 memberships to non-residents and would like to honor those memberships. He said that they had sold a couple of camp memberships also to non-residents prior to the pandemic and would like to honor those. He said that they had time to consider this.

Mr. Haddad said that the Governor also provided guidance today on opening up parks and after reading the guidance put out by the State he was even more in favor of keeping the parks closed and would be making that recommendation at the Park Commission meeting the next night. He said that as he had explained at their meeting last week, he, Chief McCurdy and Mr. Delaney would be attending the Park Commission meeting to discuss this with the Commission.

Mr. Giger said that he thought refunds could be provided to those non-residents who signed up for pool and camp memberships. Ms. Pine said she agreed adding she was very uncomfortable opening the pool and summer camps

and would like more information from the Board of Health. Mr. Shawn Campbell said that refunds were possible adding he had received several requests already for refunds. He said that pool memberships and camp registrations had been taken off the website and were no longer being advertised. He said that they had adopted every possible protocol for sanitization to include dividing the pool into 12 sections to keep social distancing. Mr. Haddad said that the Country Club was a closed facility unlike fields and was being monitored by staff.

Mr. Degen asked if they opened Town Hall on June 1, when the public be allowed in. Mr. Haddad said that the protocols called for allowance of the public 30 days after opening the building adding that people could make appointments with staff at Town Hall to conduct business if need be before June 29th. There was a brief discussion about approved protocols and timelines for reopening. Ms. Pine said she was concerned in general about reopening everything and thought it was happening really fast. She said she was in favor of maintaining the 30 days for the public to re-enter and delaying the whole process another week. Ms. Manugian said she too was fine with the extension to reopen things. Mr. Degen said he would defer to the Town Manager's request for a week extension.

Mr. Degen said that he was glad that the golf course was open but as for the pool he was concerned about regulating social distancing. Mr. Degen said he would also not support seeing the camps open this year. Mr. Giger said that the Town needed to give attention to Sargisson Beach and didn't think it was on anyone's radar. Mr. Campbell said that the camps were redesigned to eliminate as many touchpoints as possible. He said that this was not an easy call to make adding why they were bringing it forward. Ms. Pine said she was very uneasy with putting kids together and having the camp. Mr. Haddad said he would like to ask that the Board make that decision sooner rather than later and agreed with the Board to air on the side of caution. Mr. Degen said he didn't feel great about opening up camps with the fear of the virus infecting kids. Ms. Manugian said she didn't think they had enough information to make a decision at this point and was looking for a consensus to see if they wanted to make that decision that night. Chief McCurdy said that policing camps was going to be nearly impossible and increased their liability as a community. Mr. Reilly said he had a bigger issue with opening the pool than the camp. Mr. Robertson said that they had a lot of professional people looking at these things and making their recommendations. He said that at some point it was the responsibility of the parents when bringing their kids to things like the camp or the pool. He said that the Select Board needed to look at information further before making a decision.

Ms. Pine moved that they vote to not offer a camp program at the Country Club during the summer of 2020. Mr. Degen seconded the motion.

Mr. Degen said that they needed to consider opening the parks if they were not opening the camp.

Roll Call: Manugian-aye; Degen-aye; Pine-aye; Giger-aye; Reilly-nay

Ms. Manugian said she wasn't sure how they went about keeping kids separate in and out of the pool and limiting use times and wasn't sure this was viable. Mr. Campbell asked that they hold off on the pool until the Board saw the protocols that he had put together. Ms. Pine said she would agree that they hold off on the pool decision allowing them time to review and consult with the Board of Health. Mr. Degen said he was fine with waiting until June 1. Mr. Degen asked if it was possible to have a COVID waiver. Town Counsel, Paul DeRensis said that they could have any waiver that they wanted.

Mr. Haddad said he was concerned with Sargisson Beach being mentioned, adding they had voted to close the beach for the summer already. Ms. Pine asked for a recommendation from the Board of Health on beaches also.

FARMERS MARKET

Mr. Gualco said that he was there to see if there were some additional comments relative to the Farmers Market opening protocols as discussed last week. Ms. Manugian said that she was still uncomfortable with the porta toilets. Mr. Wyatt said that there were 7 interested farmers and had already prohibited all the nonessential vendors. Mr. Haddad said it would be that his recommendation to keep Williams Barn closed to the public and have the farmers market stationed solely outside. Mr.

Wyatt said that the water station and port toilet would be locked when not in use during the Farmers Market. He said it would be cleaned once a week, on Tuesday, by the service company.

Mr. Degen moved to adopt and post the protocols as presented last week as prepared by the Town Manager and Williams Barn Committee with guidance from the State. Ms. Pine seconded the motion. Roll Call: Manugian-aye; Pine-aye; Degen-aye; Giger-aye; Reilly-aye

TOWN MANAGER'S REPORT - CONT.

5. Ms. Manugian said that a pragmatic and workable solution had been presented to her adding that state and federal holidays be listed under one bullet and under a separate bullet that the additional proposed holidays be listed adding that should someone have a conflict with a meeting and a holiday that the request be made to the committee and Town Manager that a topic or meeting date be changed. Mr. Haddad said he was happy to be the person that people contact should there be an issue. Mr. Pine said that it should be in consultation with the Select Board Chair to avoid any miscommunication. Ms. Manugian said that it would be the committee chair and not the Select Board chair. Mr. Giger suggested language to add to this effect.

Mr. Degen made a motion to approve the Meetings on Holidays policy as discussed with language additional suggested by Mr. Giger. Ms. Pine seconded. Roll Call: Manugian-aye; Pine-aye; Giger-aye; Degen-aye; Reilly-aye

6. Mr. Haddad said that he provided the Board with wrong information last week adding that the housing production plan had expired in June 2019 not June 2020. He said that there was some vulnerability to the Town but was not overly concerned adding there were no active applications for housing. Ms. Pine said that it was her hope they could move forward with seeing affordable housing built.
7. Mr. Haddad reviewed the Board's anticipated schedule through the end of June.
8. Mr. Haddad said that last summer, the Select Board had voted to issue an RFP for Town Counsel services on November 1, 2019. He said that at that time, he requested that the Board hold off on issuing that RFP for several months and reconsider the issue this Spring. Mr. Haddad said that he was requesting that the Board either issue an RFP, or allow him to reach out to several firms to determine their interest in representing the Town of Groton. Mr. Haddad said that M.G.L. c.30B, §1(b)(15) specifically exempted lawyers from the procurement process. He said that the last two times they issued RFPs for Town Counsel, they received proposals from the same firms. He said that the first time they stayed with KP Law and the second time they kept KP Law as Labor Counsel and appointed Brooks DeRensis as General Town Counsel. Mr. Haddad said he didn't think issuing another RFP would provide the Board with any additional firms to consider. Mr. Haddad said that he was no longer comfortable nor happy with the services they were receiving from Brooks DeRensis and was recommending they change Town Counsel in FY 2021.

Ms. Manugian said that she had discussions with the Town Manager about this in putting together the agenda and why it was on the agenda. She said she was not comfortable in not issuing an RFP and thought it was a difficult time to be considering this. Mr. Haddad said that they had done the Prescott bid successfully, had an officer in the academy and hired summer help without any issue during the pandemic. He said that responses to the RFP would be 30 days out anyway. Mr. Degen asked why Mr. Haddad wanted to change counsel. Mr. Haddad said that he understood why the question was asked but wanted to be careful. He said he wanted to ask for and schedule an Executive Session if the Board wanted to hear the reasons why. Mr. Giger said that they should hold an executive session. Ms. Pine said this was a complete surprise to her and was not aware of any reason why they should change. Mr. Haddad said that he was surprised that she was surprised adding they discussed bringing this back in the spring when they discussed this last fall. Mr. Reilly said that an executive session should be held. Mr. Degen asked under what specific reason they would go into executive session. Mr. Haddad said it would be under Clause 1. Ms. Manugian asked if June 1 would work. Mr. Giger suggested waiting until after the Town Meeting.

9. Mr. Haddad said that he had set aside time on the Agenda for the Board to discuss any issues related to the proposed FY 2021 Operating Budget. He said that the Town Accountant had updated their FY 2020 revenues to reflect April income. He said that they were now projecting a \$233,500 deficit in Estimated Receipts for FY 2020. Mr. Haddad said that based on this new information, he had rethought his position on paying off the Snow and Ice Deficit in FY20 and wanted to change his recommendation and instead of paying it off this year, recommended that they raise it on the FY 2021 Recap Sheet. He said that he wanted to be able to turn back as much in unexpended appropriations as possible to offset the revenue deficit and preserve Free Cash. Mr. Degen asked how much money would be left in free cash if all articles past. Mr. Haddad said it was around \$200K. Mr. Haddad said that he wanted to continue with the OPEB as planned because of the actuary. Mr. Degen said that there were now additional costs relative to the storm that was going to need to be funded. Mr. Haddad said that the Commonwealth would be receiving \$2B to deal with COVID related costs. Mr. Haddad said that Groton was eligible to submit an anticipated budget through December 31st for up to \$1.038M. He said he assumed some of this was for GDRSD also but would be submitting a budget by July. He said that this would help their free cash position. Mr. Degen said that he was satisfied with that response.

OTHER BUSINESS

Ms. Pine said that the state recently authorized the use of CPC funds in the affordable housing bucket to be used to provide assistance to people who were renting and having a hard time paying rent due to the pandemic. Ms. Pine said that the Affordable Housing Trust discussed this topic at their meeting this past week. She said that they were excited about the possibility of proceeding with an out of cycle application for this purpose but the timing of the Town Meeting vote was in question. She said that it was possible to call for a special town meeting for June 13th. Mr. Haddad said that the Board could call for a special town meeting, would have to open and close the special town meeting within 20 days (by this Friday) and post the warrant on May 29th. He said that a special town meeting had a quorum requirement of 160 people which could be an issue given the current circumstances. Mr. Easom said that he was aware this was coming down the pike. Ms. Pine said that the Trust were not sure if there was a need but wanted to be sure they were ready should there be a need. Mr. Haddad reviewed the procedures for the special town meeting. Ms. Manugian said she was uncomfortable with having a special town meeting because they missed a deadline for the regular town meeting posting. She asked why this was coming forward by the Affordable Housing Trust and not just allowing things to flow through the Commissioner of Trust Funds as an example. Ms. Pine said that the Trust Funds did provide assistance for the purpose of paying rent but that this program was set up to use CPC money for affordable housing. Ms. Stanley said that the Community Preservation Act had been allowed to fund community housing projects and with the pandemic was allowed to use money for this type of emergency rental assistance project. Ms. Stanley said that she put in an application this afternoon on behalf of the Affordable Housing Trust to the CPC outlining those eligible who was mainly current Groton renters and landlords. Discussion ensued. Ms. Stanley said one of the questions was whether there was enough time to educate the voters. Mr. Giger said he was supportive of this but wanted to make sure their ducks were in a line with this. Mr. Haddad said that the proposal had a lot of merit and wanted to support it but was afraid that 2 weeks was not a lot of time to get the information out about this. Ms. Pine said that she agreed that they should wait until the fall to bring this forward given the lack of time.

MINUTES

Mr. Degen moved to approve the meeting minutes of May 11, 2020. Ms. Pine seconded the motion. Roll Call: Pine-aye; Degen-aye; Giger-aye; Reilly-aye; Manugian-aye

ON-GOING ISSUES

Mr. Haddad said they received \$138K Green Community Grant earlier that evening and would begin working on the approved projects.

The meeting was adjourned at 9:36pm.

Approved: _____
John Reilly, Clerk

_____ respectfully submitted:
Dawn Dunbar, Executive Assistant

Date Approved: 06/01/2020