

**SELECT BOARD MEETING MINUTES
VIRTUAL MEETING
MONDAY, JUNE 1, 2020
UN-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; Kara Cruikshank, Land Use Administrative Assistant; Sammie Kul, Interdepartmental Administrative Assistant

Park Commission Members - Don Black, Anna Eliot, Gail Chalmers

Hazel Grove Members - Laurie Smigelski, George Moore

Sargisson Beach Members - Larry Hurley, Cheney Harper, Josh Degen, Lynda Moore

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

ANNOUNCEMENTS

Chief McCurdy said that before 2pm there was a fire at 373 Main Street, Winthrop Place, an 8-unit apartment building which appeared to have started at the exterior of the building and took off rapidly. He said that 7 different communities were on scene to help adding that there were 2 firefighters injured and one person who lived on the first floor was injured. He said that everyone was going to be okay. He thanked everyone that helped at the fire. Mr. Degen asked if the Red Cross was assisting. Chief McCurdy said that Red Cross was on scene and thanked Chief Luth and his department for facilitating those resources. Ms. Pine said that there was an email from the Schools about needing supplies for the families displaced. Mr. Giger said that new information would be forthcoming on what was needed.

Ms. Manugian left the meeting at 7:05pm because of connection issues.

TOWN MANAGER'S REPORT

1. Mr. Haddad said that Department Heads returned to working at Town Hall that day. He said that anyone wishing to contact Town Hall would need an appointment. He said that masks would be required if you were in a room with someone else. Mr. Degen asked about how the breakroom was working. Mr. Giger asked how they were going to accommodate those that could not wear masks. Mr. Haddad said that the break room was limited to one person at a time. Mr. Haddad said that they were going to set up a spot in the garage for meetings to be held with those that could not wear masks.
2. Mr. Haddad said that the Election was going to be held on Tuesday, June 9th. He said that he was going to send home employees at 12pm that day and not reopen the Town Hall and Country Club until Thursday, June 11th. He said that he was going to have the Town Hall and Country Club deep cleaned on June 10th adding that the employees would be working from home on the afternoon of the 9th and on the 10th.

Mr. Kauppi said that he just met with the Board of Health and wanted to ask the Select Board if they thought there was a reason to not have the Town Meeting on June 13th. He said that they had developed a seating chart, including the rental of 200 seats, would have a separate seating section for those that did not wear masks, wireless microphones which would be sanitized after each use among other preventative measures. He said that he had received a lot of guidance from the Board of Health and the Town's Health Agent on precautions. Ms. Pine asked about the possibility of a rain date. Mr. Kauppi said that his thought on a rain date would be to have it on Sunday, June 14th at 1pm. Town Counsel said it was discouraged but not illegal to have it on a Sunday. Mr. Giger said he

was fine with the plans in place and saw it was going to be dry according to the long-range forecast. Mr. Degen said he was fine with this adding his only concern was sanitizing the microphone.

Ms. Manugian returned at 7:15pm.

Mr. Degen said that it sounded like all protocols were in place and could go ahead as scheduled.

Ms. Pine asked Mr. Bouchard at what point absentee ballots would not be sent out. Mr. Bouchard said that they do not stop sending them out even if they thought it might be too late. Ms. Pine asked when ballots had to be returned by. Mr. Bouchard said that by 7pm on election day but strongly encouraged folks to return them before that.

7:15PM - REOPENING PARKS, POOLS, BEACH, ETC.

Mr. Degen said that under the Public Duty Rule, it was his understanding that the Town would not be liable for anything that happened at its fields, commons, etc. COVID related if they were to being to open these things and people weren't following the rules. Mr. DeRensis said that they could post the parks as use at your own risk and the Public Duty Rule would apply because there was no charge. Mr. Haddad asked if a waiver could be used at the Country Club making the town not liable there also. Mr. DeRensis said that they could.

Hazel Grove

Mr. Haddad said that the HGAA leased Hazel Grove and named the Town as additionally insured on their insurance. Ms. Pine said that maybe they could ask HGAA to also use a waiver.

Ms. Manugian left the meeting and returned at 7:25pm.

Ms. Smigelski said that they would like to piggy back on the type of waiver the Town would require. Mr. Haddad said he had no issues sharing this waiver with the HGAA. Mr. Giger said that it was in the HGAA's best interest to require a waiver. Ms. Manugian said she was far more concerned with doing what they needed to do for the health and safety of their community. She said that the porta toilets were an issue for her. Ms. Smigelski said that there was enough space for them to make sure groups were no more than 10 people and separated into 3 groups. Ms. Smigelski said that they would have hand sanitizing stations set up.

Jason Weber called the Board of Health to order with Jason Weber and Bob Fleischer in attendance at 7:32pm. The Park Commission was called to order by Don Black at 7:32pm with Don Black, Anna Eliot and Gail Chalmers present. The Sargisson Beach Committee was called to order by Cheney Harper at 7:33pm with Larry Hurley, Cheney Harper, Lynda Moore and Josh Degen present.

Mr. Weber said that the Governor provided guidance last week discussing maintenance on a porta toilet. Ms. Smigelski said that putting two port toilets at Hazel Grove was possible. Ms. Manugian said that the hand sanitizer stations should be attended to daily. Mr. Weber agreed. Ms. Smigelski said that times would be made, by appointment, for designated periods of use time by riders. She reviewed the protocols in place for reopening. Ms. Manugian said that she would encourage that masks be worn as much as possible.

Ms. Pine said that protecting the public health was in her mind but also thought they needed to acknowledge a level of personal responsibility. She said that emphasizing one of the basics, that if weren't feeling well, you should go home or not go out. She said she was okay with allowing Hazel Grove to open. Ms. Manugian said that people were contagious for days before they might show symptoms. Mr. Reilly said he didn't see a difference between bicycling and riding a horse and didn't see an issue with this as long as the guidelines were followed and adhered to.

Sargisson Beach

Mr. Haddad said that the beach had been closed and the contract with the YMCA cancelled. He said his recommendation was that the beach remained closed adding they didn't have lifeguards or people to monitor use. Ms. Manugian said she agreed adding that beach guidelines were not practical at Sargisson Beach. Ms. Pine said she felt that if they closed Sargisson

Beach and opened the Country Club pool, it wasn't right. She said she was inclined to post Sargisson Beach as a swim at your own risk and follow social distancing protocols. Mr. Giger said that they never had full-time coverage at the beach even with lifeguards. Cheney Harper said that swim at your own risk was one thing but a porta toilet would be required adding they would have the same issue with cleaning it. Ms. Pine asked if the Sargisson Beach Committee (SBC) had a recommendation. Ms. Harper said that they had a list of action items that needed to be looked into before they could open the beach including a compliance officer, limiting the number of parking spots, etc. She said that they didn't know if they had the ability to do all that. Mr. Haddad said that they had a budget of \$9K to maintain the area and \$4K to pay the Ranger. He said that they did not have the money to maintain the porta toilet in the budget as would be required. Ms. Harper said that the SBC was on the same page as Mr. Haddad. Mr. Hurley said that the Committee wondered if there were state funds to hire a compliance officer to assist them. Mr. Haddad said that hiring additional personnel could require benefits and something they needed to be careful of that. He said that there was rumor they might be able to use Cares Act money to cover revenue shortfalls and wanted to make sure that that money was available to the Town if that came to fruition. Ms. Eliot said that she wasn't sure if porta toilets were available and couldn't find anything in the laws/bylaws/health codes that said it was required. Ms. Manugian said that if the Health Agent was requiring porta toilets at the Farmers Market then she would imagine that they would need one at Sargisson Beach. Mr. Giger said that if the decision was to not open the beach, at a minimum they needed to put construction fencing around the beach to keep people off.

Ms. Pine asked if they could spend money to monitor the use of the beach instead of spending money to close it off. Mr. Weber said that porta toilets would be required. Ms. Chalmers said that this was Phase 2 and could last for a short amount of time and should keep that in mind. Ms. Harper said she wouldn't want to have an eyesore on the beach just because they were closed. Mr. Giger said that there had always been a porta toilet there in the past as just a point of information. He said that even though Fitch's Bridge was policed by the Police Department, there were always kids jumping off it.

Parks

Mr. Haddad said that they met with the Park Commission a few weeks ago adding at that meeting, the Commission voted to keep the parks closed at that point. Mr. Haddad said that it would be his recommendation that the parks stay closed adding the guidelines were difficult to follow. Mr. Black said that the Commission was meeting again the following night and would make an informed decision at that time. He said that the basketball courts and playgrounds were still an issue that needed to be considered. Ms. Eliot said that she agreed with Mr. Black that shared equipment should remain closed. She said that the use groups were invited to come to their meeting the next night to discuss further. Ms. Eliot said that other towns were not opening their sanitary facilities and restricted time on their fields requiring people to apply for usage. Ms. Pine asked what use groups were invited and asked if it was organized teams. Ms. Eliot said it was organized programs, adding that their fields were also used by permit. She said that if a use group or family wanted to have a game day for their kids, she wanted to see them allow this.

Mr. Giger said that the parks/fields were made up of a collection of things and was not a one size fits all. Ms. Manugian said she struggled with enforcement pieces. She said she was struggling with the state regulations as currently written and didn't know if they could rely on children to social distance and thought it was easier to keep things closed down for a little while longer. Mr. Degen said that he understood the concerns but thought they could post signage and not be liable. Mr. Black asked about the school fields. Ms. Eliot said that those guidelines were different. Ms. Marlena Gilbert agreed. Ms. Pine said that it didn't make sense keep the parks closed for families that wanted to open them for use. Ms. Manugian said that one family was one thing but groups of them was a different story. Mr. Haddad said that Mr. Grossman was recommending toilet facilities be placed at all parks. Mr. Haddad said that Mr. Grossman was also okay with opening the parks for non-organized activities. Ms. Manugian said that porta toilets would need to be cleaned on a daily basis. Ms. Pine said she was looking for ways for their taxpayers to use these properties. Mr. Haddad said that hiring additional compliance staff would cut into their potential needs for the Cares Act money. Mr. Reilly asked if they needed more porta toilets or if 13 was what they used every year. Ms. Manugian reviewed the information they were looking for as discussed and asked that this be put on next week's agenda. Mr. Giger suggested opening one park. Mr. Degen said that they should make a recommendation to the Park Commission that night. Mr. Degen said that porta toilet cleaning should be done by a professional company and thought the added expense was a priority this summer.

Mr. Degen moved that they recommend opening one park, see how it goes and revisit it in a couple of weeks. Ms. Pine seconded the motion and offered a friendly amendment to open 2 parks. Mr. Degen accepted the amendment.

Ms. Manugian said that daily cleaning of 2 porta toilets 6 days a week was approximately \$2K/month as stated by Ms. Smigelski earlier. Ms. Pine said she didn't have an answer on how to clean them. Ms. Manugian said that was important information to have. Mr. Black said that he wasn't sure a motion was needed adding the Commission would further discuss this discussion the next night.

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

Hazel Grove – Cont.

Mr. Haddad asked if the Board as willing to open Hazel Grove and reviewed the protocols.

Mr. Degen moved to approve the proposed protocols and open Hazel Grove. Ms. Pine seconded the motion.

Mr. Giger said he would like to see a line added that people would have to sign up for use. Mr. Black said that the Park Commission oversaw this property and asked if this was a recommendation. Mr. Haddad said that the HGAA signed a lease with the Select Board. Mr. Haddad said that they could just add to the motion that it be a recommendation subject to Park Commission approval assuming appropriate jurisdiction.

Mr. Degen moved to add that to his previous motion. Ms. Pine seconded the addition. Roll Call: Pine-aye; Degen-aye Reilly-aye; Giger-aye; Manugian-aye

Ms. Eliot moved that the Park Commission vote to open Hazel Grove according to protocols drafted by HGAA and submitted to the Select Board. Mr. Black seconded the motion. Roll Call: Eliot-aye; Black-aye; Chalmers-aye

Sargisson Beach – Cont.

Mr. Degen moved that they keep Sargisson Beach closed for the Summer 2020 and install fencing to keep people from using the beach. The motion was seconded.

Mr. Degen said that the Sargisson Beach Committee met last week and discussed access to the beach by a narrow trail adding it was impossible to make sure social distancing guidelines were met. Mr. Degen made a recommendation to keep Sargisson Beach closed for the season. Ms. Pine said she would prefer closing it until further notice. Mr. Degen asked about fishing. Ms. Manugian said if it was closed it was closed to all. Mr. Hurley thought the fencing was above and beyond.

Mr. Degen withdrew the fencing from his motion. Ms. Manugian seconded the revised motion. There was a discussion about locking up the kayak rack too. Roll Call: Manugian-aye; Pine-aye; Degen-aye; Reilly-aye; Giger-aye

Country Club Pool

Mr. Haddad said that they had fulltime staff to monitor the pool. Mr. Campbell said that they were basing capacity on 25% and were waiting on guidelines from the state still. He said that patrons would be screened by taking their temperatures. He said that the pool would be sectioned off into 10 sections. He said that the seniors would have an area and access to the pool for their own time. He said that face coverings would be required except while using the diving board or swimming in the lap lanes. He said that cleaning would be done every hour.

Ms. Manugian asked if the groups be limited to families, etc. Mr. Campbell said that they could make it family only and could iron out those details. Ms. Manugian said that a wet mask could be an issue. Mr. Campbell said that hospital masks would not be allowed adding they could require cloth masks. Mr. Campbell said that they could sell masks that could get wet. Ms. Pine said that this was well thought out. She asked about protocols for families that booked multiple times. Mr. Campbell said that those people would have to exit the pool area and wait in their cars to be allowed to reenter. Ms. Pine had some additional questions. Mr. Reilly asked who was doing the temperature reading. Mr. Haddad said that the lifeguards would. Mr. Reilly said this was well done and should give it a try. Mr. Degen said he was struggling with this. He said that

areas would be limited to 5 chairs but would limit areas to family unit only. Mr. Degen said that a family could bring neighbor kids and sign a waiver for them. Mr. Degen asked about coughing due to inhaling water. Mr. Campbell said that they would have to see what the guidelines say adding they could do their best to plan for all incidences. Mr. Degen said he could not support this adding this was not the time to be taking chances for a revenue stream. Mr. Degen said that waiving all fees would waive any liabilities the Town would have. Ms. Manugian said she shared concerns and didn't know how social distancing could be achieved at the pool. Mr. Haddad said that he was adamantly opposed to opening the pool for free adding they had costs associated with lifeguards, etc. Mr. Haddad said that the town of Shirley closed their pool for this year. Ms. Pine said that there should be no food for sale at the pool unless it was brought in by the user and not shared.

Ms. Pine moved to allow the pool to open following protocols discussed tonight with changes in food and the need for waivers as discussed. Mr. Reilly seconded the motion. Mr. Haddad asked that it be subject to NABH guidance and state guidelines. Mr. Degen said this was opening a virtual can of worms. Manugian-nay; Degen-nay; Reilly-aye; Pine-aye; Giger-nay

Mr. Haddad said that the pool would not open.

TOWN MANAGER'S REPORT – Cont.

3. Mr. Haddad said that they had not received any updated protocols from the state.
4. Mr. Haddad said that he and the Town Accountant believed they needed to be prepared for Fiscal Year 2021 in the event that Town Meeting was not held prior to June 30th. He said that in accordance with Chapter 53 of the Acts of 2020, they were presenting to the Select Board for approval a 1/12 Budget for the month of July, 2020. Mr. Haddad said that pursuant to the Act, the Director of Accounts was authorized to *"approve expenditure's from any appropriate fund or account, of an amount sufficient for the operations of the Town during the month of July not less than 1/12 of the total budget approved by the Town in the most recent fiscal year, upon request by, and pursuant to a plan approved by the Select Board."* He said that Ms. Dufresne had prepared a 1/12 budget for the Board's approval including the Town and enterprise funds. He asked the Board to approve this so that they could file in case they didn't have town meeting by June 30th. Mr. Giger asked for clarification about the 1/12 budget and about not being able to spend more than what was requested and if the state denies some or all the request. Mr. Haddad and Ms. Dufresne qualified the process and any risks.

Ms. Pine made a motion to approve the proposed 1/12 budget for FY2021. Mr. Degen seconded the motion subject to verification of the 1/12 roll as mentioned by Mr. Giger. Roll Call: Pine-aye; Manugian-aye; Degen-aye; Reilly-aye; Giger-aye

5. Mr. Haddad said that they had been notified of the Cares Act eligibility. Mr. Haddad asked the Board to approve the presented budget. Ms. Pine asked if meals on wheels was something that was covered by the budget. Mr. Haddad said that they expanded the service and why they included it. Ms. Pine asked about FEMA reimbursement. Mr. Haddad said that the 25% that wasn't covered by FEMA could be reimbursed by the Cares Act. Ms. Pine asked about unemployment estimates that were included.

Ms. Manugian moved to approve proposed funding request for Cares Act funds with the addition of porta toilet costs to be expended by the Town Manager through June 30th. Ms. Pine seconded the motion. Roll Call: Pine-aye; Manugian-aye; Degen-aye; Reilly-aye; Giger-aye

6. Mr. Haddad asked the board to ratify and approve appointments made by the Town Manager and approve nominations for other appointments as presented by the Town Manager.

Ms. Pine moved to approve the appointments both made by and nominated by the Town Manager. Ms. Manugian seconded the motion. Roll Call: Pine-aye; Manugian-aye; Degen-aye; Reilly-aye; Giger-aye

7. Mr. Haddad reviewed the boards meeting schedule.

8. Mr. Haddad said that he had no update on the budget. Ms. Gilbert said that the School Committee was meeting on Wednesday night to discuss further adjustments on their budget as provided by the Superintendent on May 20th. She said that they were going to discuss delaying some of their capital expenses. She explained unexpended costs and costs related to COVID that had been expended. She said that they had a TA with their teacher's union. A one-year contract with a .5% increase and thanked the union for working with them.

ON-GOING ISSUES

Mr. Haddad said he met with the Friends of Prescott and the contractor last week to discuss construction should it be approved at town meeting. He said that construction would start around July 1 and take 3 months.

Mr. Haddad said that the repairs at the Center were completed and all costs were covered by the insurance company.

Mr. Haddad said that with the passing of Bob Johnson, they were looking to fill that position. He said that he wanted to take his time finding someone to fill that position. Mr. Haddad said he would like to appoint the Ayer/Shirley Veteran's agent Mike Detillion to fill this vacancy on a temp basis and asked the Board to support his appointment. Ms. Pine asked for an understanding of how this position was funded.

Ms. Manugian moved to ratify the appointment of Mike Detillion as Interim Veteran's Agent. Ms. Pine seconded the motion. Mr. Giger asked if they should leave it open ended. Mr. Haddad asked for them to leave it open ended and he would provide periodic updates. Roll Call: Pine-aye; Manugian-aye; Degen-aye; Reilly-aye; Giger-aye

Ms. Pine asked about Indian Hill and plans for the construction of the intersection. Mr. Degen said that he and Mr. Giger had been working with town officials to go through the requirements both Chiefs and Tom Delaney had.

MINUTES

Ms. Pine said she had one small correction to the minutes. Mr. Degen moved to approve the minutes of May 18, 2020 as amended. Ms. Pine seconded the motion. Roll Call: Pine-aye; Manugian-aye; Degen-aye; Reilly-aye; Giger-aye

Ms. Manugian adjourned the meeting at 10:01pm.

Approved: _____
John Reilly, Clerk

_____ respectfully submitted:
Dawn Dunbar, Executive Assistant

Date Approved: