

**SELECT BOARD MEETING MINUTES
VIRTUAL MEETING
MONDAY, AUGUST 10, 2020
APPROVED**

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

Also Virtually Present: Mark W. Haddad, Town Manager; Dawn Dunbar, Executive Assistant; Melisa Doig, HR Director; Patricia Dufresne, Town Accountant; Jonathan Greeno, Principal Assistant Assessor; Michael Hartnett, Tax Collector/Treasurer; Michael Bouchard, Town Clerk; Bud Robertson; Tom Delaney, DPW Director; Michelle Collette, Earth Removal Stormwater Inspector; Ed Perkins, Eileen McHugh, and Robert Hanninen, ERSWAC Member; Bob Garside, Building Inspector; Audra Waiters

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

ANNOUNCEMENTS

Ms. Manugian said that she and Mr. Haddad met about the Commissioners of Trust Funds with Town Counsel that morning. She said that they had all received emails regarding the fund for the Winthrop Place fire victims. She said that the Commissioners, because of the regulations they had to follow, were not the correct entity to deal with the funds in the manner in which was originally intended by the original organizer. She said that Katie Novak would be receiving back the funds and would disperse the funds to the 8 fire victims. She said that there had been a tremendous effort by the community to help support the fire victims. Ms. Manugian offered to sign the off-warrant check request tomorrow to get the money back to Ms. Novak for distribution.

Mr. Degen moved that the Board designate Ms. Manugian to sign the off-warrant check for the Trust Commissioners to issue a check should they vote to do this the next day at their posted meeting. Ms. Pine seconded the motion. Roll Call: Giger-aye; Manugian-aye; Degen-aye; Pine-aye; Reilly-aye

Sandi DeRentz, one of the Winthrop Place building fire victims, asked for 5 minutes to comment. Ms. DeRentz said she was representing all the fire victims at 373 Main Street. She said that Katie Novak had stepped up to help adding the firefighters and police had also helped tremendously. She thanked everyone for their help and donations. She said that the money from the GoFundMe account had been dispersed right away but that the money given to the Commissioners of Trust Funds was forced to go through an application process but was happy to hear that was being corrected.

Ms. Pine added that Ms. DeRentz had expressed interest in serving on the Affordable Housing Trust. She said that they were bound by law which stated that the voting members must be residents of Groton adding their meetings were open to the public and invited Ms. DeRentz to join their next open meeting. Ms. Pine said that the Commissioners of Trust Funds were a Board not a lot of people knew about. She said that charges had been made against the Trust Commissioners over the last few days that were not deserved and inaccurate. She talked about the membership and all the good they provided the community. Mr. Giger said he was concerned about one losing residency in town because of a fire. He said that until they were considered residents elsewhere that they should still be considered residents here and asked that that be looked into. Mr. Haddad said he would reach out to Town Counsel.

STORMWATER UTILITY ENTERPRISE BUDGET

Mr. Haddad read a public hearing notice into record.

Ms. Pine moved to open the public hearing. Ms. Manugian seconded the motion. Roll Call: Pine-aye; Manugian-aye; Degen-aye; Giger-aye; Reilly-aye

Mr. Degen moved to continue the public hearing till the conclusion of the Town Manager's Report. Ms. Pine seconded the motion. Roll Call: Pine-aye; Manugian-aye; Degen-aye; Giger-aye; Reilly-aye

TOWN MANAGER'S REPORT

1. Mr. Haddad said that they were looking to appoint one member to the Diversity Task Force for the at-large member seat. Mr. Haddad introduced Audra Waiters as the at-large committee member interested. Ms. Waiters said that she was interested in serving because she had always been interested in getting involved within her community. She said that they were new to Groton, that she had grown up in a racist community in Kentucky, was married to a black man, was raising a mixed-race son and was passionate about racism. She added that she also worked for an anti-racist company. She said she was passionate about this and was excited to work on this committee if given the opportunity. Mr. Degen said he met Ms. Waiters two months ago and thought her story was compelling which made her invaluable.

Mr. Degen moved to appoint Audra Waiters to the Diversity Task Force with a term to expire June 30, 2021. Ms. Pine seconded the motion. Roll Call: Pine-aye; Manugian-aye; Degen-aye; Giger-aye; Reilly-aye

Mr. Haddad asked if the Board wanted to confirm the other nominations to the Committee. Mr. Degen said that Raquel Majeski was going to be ex-officio but because she wanted to participate and vote and because Lawrence Academy was nominating her for appointment, she would fill both rolls. Ms. Pine said she was happy to see the diverse representation.

Ms. Pine moved to approve the proposed members of Diversity Task Force except the LGBTQ+ member. Ms. Manugian seconded the motion. Roll Call: Pine-aye; Manugian-aye; Degen-aye; Giger-aye; Reilly-aye

Ms. Pine moved to approve the nomination of Tim Manugian to serve as the representative of the LGBTQ+ community. Mr. Reilly seconded the motion. Roll Call: Pine-aye; Manugian-abstain; Degen-aye; Giger-aye; Reilly-aye

2. Mr. Haddad asked the Board to ratify the appointment of Cynthia Lane-Hand to the Affordable Housing Trust. Ms. Pine said that she was recommended by the Committee.

Mr. Reilly made a motion to appoint Cynthia Lane-Hand to the Affordable Housing Trust with a term to expire June 30, 2022. Mr. Degen seconded the motion. Roll Call: Pine-aye; Manugian-aye; Degen-aye; Giger-aye; Reilly-aye

STORMWATER UTILITY ENTERPRISE BUDGET – Cont.

Mr. Haddad asked the Board to reopen to hearing. Mr. Degen moved. Ms. Pine seconded the motion. Roll Call: Pine-aye; Manugian-aye; Degen-aye; Giger-aye; Reilly-aye

Ms. McHugh called the Stormwater Committee to order at 7:30pm.

Mr. Haddad said that the Town Meeting in the Spring approved a bylaw to create a Stormwater Fund which allowed the Town to collect money relative to the requirements of the MS4 permit. Mr. Haddad said that they provided the Board with two budgets; one budget that included associated costs to hire an employee to carry out the stormwater program. Mr. Delaney said that the employee's function would be solely stormwater functions such as mapping, permits, paperwork, culvert clean out, etc. Mr. Delaney said that this was otherwise a barebones budget just to get them in compliance with the law. Mr. Delaney said that they originally were not going to bring this forward with an employee but during the process in the spring, it was mentioned by a couple of board members that they should be adding an employee to the budget. Mr. Haddad said that an enterprise utility needed to cover the costs of the employee.

Mr. Degen asked when they proposed implementing the fee. Mr. Haddad said that they had to go to the Town Meeting with this budget adding they would send out bills sometime in October should Town Meeting approve this. Mr. Haddad said that it didn't make sense financially to send out more than one bill a year because of the costs associated with preparing and mailing bills. Mr. Degen asked when they had to have this in place. Mr. Delaney said that they had been complying with this for over 10 years but that the regulations over the past 2 years had been draining and could no longer be done in the manner in which it had been done. Mr. Degen asked what the consultant would be providing for \$50K. Mr. Delaney said that they

were going to be making sure they Town was in compliance with the permit requirements. Mr. Degen said that there may be redundancy right out of the gate with that fee. Mr. Delaney said that the consultants helped with the regulatory paperwork, but that the employee would be responsible for catch basin cleaning, mapping, etc. Ms. Manugian asked if this could be done by someone in house. Mr. Delaney said that this would mean other highway related jobs would not be getting done adding they were already down one employee within the department. Ms. Pine said that in the Spring, Mr. Delaney said it could be easily done in house. She said there was a whole lot of reasons to not add another employee right now. She said that the fee increases for manganese, raising building department fees and because they were in the middle of a pandemic, were reasons they should look to keep the cost down. She said that they had not gone through a thorough enough process for hiring. Mr. Haddad said that the hiring freeze was voted because of the operating budget which did not include hiring freezes for the enterprise funds. He said that the added amount of additional paperwork was adding a level of work they had not had thus far.

Mr. Giger asked Mr. Delaney to elaborate on the capital expenditure. Mr. Delaney said that their current equipment would not allow them to clean the catch basins to be in compliance with EPA regulations and thus the need for capital expenditures.

Mr. Robertson asked what was allocated in the current budget if this didn't pass. Mr. Delaney said that it would hurt their current budget because it would have to come out of something else. He said the level to which they needed to attend to this added paperwork, mapping, etc. hadn't been done up to this point. Mr. Degen asked about the need for \$50K in capital every year. Mr. Delaney said that this would be payments on a street sweeper or a catch basin cleaner over the terms of the loans. Ms. Manugian asked if the employee could be split somehow 50/50 with the current DPW staff. Mr. Delaney said he would lose an employee ½ the time. Mr. Haddad said that they were down an employee right now but could look at splitting an employee in ½.

Ms. Collette said that the ERSWA Committee met earlier this evening and voted to support the budget with the employee. She said that the first year was going to be a learning year adding there was a lot of technical expertise that was required of the employee. She said that training was going to be required adding they had a large stormwater system in Town. Mr. Robertson said that the tax rate would mean just less free cash if the employee was not hired in the DPW. He said that he was looking at this as a one-year budget because it was a learning year. He said that they would find better ways to do things and learn as they go along. He said that for the ½ person they were talking about, they were not talking about a lot of money. Mr. Haddad reviewed the number of improved lots (lost with impervious areas) that would be subject to this fee.

Ms. Pine said that she would go along with the compromise proposal. Mr. Giger said that he believed that work of the Committee and Mr. Delaney had increased their knowledge of what needed to be done. He said that he had thought from the beginning that they needed to add a full-time position.

Mr. Degen moved to close the public hearing. Ms. Pine seconded the motion. Roll Call: Roll Call: Pine-aye; Manugian-aye; Degen-aye; Giger-aye; Reilly-aye

Mr. Giger moved to set the user fee at \$49.45 per improved lot.

Ms. Pine said that the Board had gone through a lot of deliberation in the past to hire additional personnel.

Ms. Manugian seconded the motion.

Ms. Manugian said that she considered herself familiar with MS4 through her professional work-related experiences and thought the workload was a significant increase for more rural communities. Mr. Degen said he understood where they were coming from but was hoping they could compromise with a ½ time employee.

Roll Call: Pine-nay; Degen-nay; Manugian-aye; Giger-aye; Reilly-aye. The motion carried 3-2 in favor of Mr. Giger's motion.

TOWN MANAGER'S REPORT – CONT.

3. Mr. Garside said that it had been over 5 years since building department fees had been raised adding the cost to inspect had increased during that time. Mr. Garside said that they were currently charging \$10/\$1000 cost of construction for residential building permits adding surrounding towns were charging \$12/\$1000. He said he was asking for that fee to be raised to \$12/\$1000 to cover admin and inspector costs. He said that he was also requesting minimal fee increases in some other permit areas such as plumbing, gas, electrical, etc. Mr. Garside said that the cost of the average shed permit would go up by \$40 as an example. Mr. Haddad said that if the Board was inclined, he would have these rates go into effect on January 1, 2021.

Mr. Giger said he fully supported the increases as proposed. Mr. Giger said that they had other entities like non-profits that needed to be addressed. Mr. Haddad said that they had a policy in place for fees related to non-profits. Mr. Giger suggested listing non-profits alongside commercial rates. Ms. Manugian said that some communities had seen increases in permits because folks were doing more at home projects and asked if people had been charged fees for starting work prior to obtaining a permit. Mr. Garside said that anyone that started work in advance of a permit was charged double and triple fees respectively. Mr. Degen said that fees had been waived for town departments but thought that no consolidated or waiving of fees should be permitted for non-governmental agencies. The Board agreed. Mr. Haddad said his recommendation was to approve this as presented.

The Board asked that this be brought back in two weeks in its final form for a vote.

4. Mr. Haddad said that he had no updates on town protocols and thanked everyone for complying with the use of masks and distancing at the Town Hall.
5. Mr. Haddad said that the Governor last week issued a new Executive Order dialing back some of the previous orders. He reviewed the gathering limitations and said that the Police could also now enforce these regulations.
6. Mr. Haddad said that the Board was interested in adopting a diversity statement similar to the one that West Tisbury had adopted. Mr. Reilly suggested that the words “recognizes that this moment calls on us to” from the first sentence adding one moment shouldn’t define them.

Mr. Reilly moved to accept the diversity statement as amended. Ms. Pine seconded the motion. Roll Call: Pine-aye; Degen-aye; Manugian-aye; Reilly-aye; Giger-aye

7. Mr. Haddad asked the Board to ratify the appointment of Steven White to the golf shop.

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

8. Mr. Haddad said that Catalano Companies had asked for an amendment to their common victualler licenses to allow them to open at 5:00am.

Mr. Giger moved to allow Catalano Companies to modify their permits at their 3 Dunkin locations to allow them to open at 5am 7 days a week. Ms. Manugian seconded the motion.

Mr. Degen said he had an issue with the Haffner’s location adding Haffners also needed to open at 5am for this to happen. Mr. Haddad said that Dunkin’s located at Haffner’s would only be allowed to open at 5am if Haffner’s also opened at 5am.

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

9. Mr. Haddad provided the Board with their final goals along with his goals. He asked the Board to adopt the goals for both the Select Board and Town Manager as presented.

Mr. Degen moved to adopt the 5 Select Board and 3 Town Manager goals for the ensuing year. Mr. Reilly seconded the motion. Roll Call: Pine-aye; Degen-aye; Manugian-aye; Reilly-aye; Giger-aye

10. Mr. Haddad said that the Board asked for a working group to be developed to review the dog bylaw and reviewed the proposed makeup of this working group. He said that they would be looking to bring back any proposed changes to the Spring 2021 Town Meeting. Mr. Haddad said that the bylaw on the Fall Town Meeting warrant would bring the bylaw in compliance with the state law only.
11. Mr. Haddad said that they put together a proposed budget for Cares Act money as requested. He said that they came within \$16K of the funds allocated for the Town. He said that earlier that day he had spoken with Ms. Dunbar and because of the change in state law relative to voting, they were spending an enormous amount of money on postage for mail in ballots which he believed was all related to COVID. He asked the Select Board to consider approving the presented Cares Act budget so that when the state allowed for applications, they could submit it.

Ms. Pine moved to approve the list of COVID virus anticipated expenses as presented and discussed. Ms. Manugian seconded the motion.

Ms. Manugian asked if the list of expenses could change between now and the time they submit. Mr. Haddad said that if anything changed, he could bring back a list of changes.

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

12. Mr. Haddad said that he had provided at the last meeting the IMA between the Town and GDRSD. Mr. Haddad said that 125 Groton students were coming out of Swallow Union which opened up Swallow Union adding Swallow Union was nowhere near its capacity anyway. Mr. Haddad said that the likelihood of that happening over the next 25 years was relatively low.

Ms. Pine moved to approve the IMA as presented. Mr. Reilly seconded the motion.

Ms. Pine commended Mr. Haddad for thinking of this adding it was a huge savings for Groton.

Roll Call: Pine-aye; Degen-nay; Manugian-aye; Reilly-aye; Giger-aye. The motion carried 4-1.

13. Mr. Haddad reviewed the articles contained within the proposed Town Meeting warrant for the Fall of 2020. Mr. Haddad pointed out that he had met with the Capital Planning Advisory Committee and had reduced the list of items postponed from the Spring Town Meeting to what he was presenting that night. Mr. Manugian asked about articles 12, 13 and 14 and why they weren't on the Spring Town Meeting Warrant. Mr. Haddad provided explanations for each being on the Fall warrant.

Mr. Haddad said that all articles were submitted by a department or member body as per charter. Mr. Haddad said that before the deadline they received an email from a developer who asked that the road acceptance of Red Pepper Lane be added. He said that it had not come from a board or department. Mr. Haddad said that he had reached out to the Planning Board to hear their comments on this therefore he proceeded with adding it to the warrant and asked how the Select Board wanted to handle this. It was asked that this be held for now pending discussion and potential approval by the Planning Board.

14. Mr. Haddad reviewed the Select Board's schedule through Labor Day.

OTHER BUSINESS

Ms. Manugian said that there had been a request to extend the deadline of the Town Manager's Review for 21 days for extenuating circumstances. Mr. Giger said that the 21 days felt like a long time. Ms. Manugian said she didn't disagree but hoped it could be done sooner.

Ms. Manugian made a motion to extend the review of the Town Manager and discussion period by 21 days. Ms. Pine seconded the motion. *Roll Call: Pine-aye; Manugian-aye; Reilly-aye; Giger-aye (Mr. Degen was not present for this portion of the meeting.)*

ON-GOING ISSUES

A: Mr. Haddad said that the Prescott School Overview Committee met last week to discuss changes to the lease. He said that the Friends had asked if they could extend the lease for one additional year because of delays. Mr. Haddad said that he reached out to Town Counsel for an opinion on whether they could extend the lease or not. Mr. Haddad said that the Town Meeting vote was for 6 years did not trump the original RFP wording of 3 years. He asked the Board to authorize him to issue an RFP for a period of one year. Ms. Manugian said she had no issue with a one-year RFP.

Ms. Pine moved to authorize the Town Manager to issue a one-year RFP to continue the program they had there. Mr. Reilly seconded the motion. Roll call: Giger-nay; Reilly-aye; Manugian-aye; Pine-aye. The motion carried 3-1.

LIAISON REPORTS

Ms. Pine said that the Affordable Housing Trust had met and would be meeting again on August 26th and would be discussing moving ahead on potential development of the Surrenden Farms parcel.

MINUTES

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

Mr. Reilly moved to accept the minutes of July 29, 2020 as presented. Ms. Manugian seconded the motion. Roll Call: Pine-aye; Giger-abstain; Reilly-aye; Manugian-aye

Ms. Manugian adjourned the meeting at 9:16pm.

Approved: _____
Rebecca H. Pine, Clerk

_____ respectfully submitted:
Dawn Dunbar, Executive Assistant

Date Approved: 08/24/2020