

**SELECT BOARD MEETING MINUTES  
VIRTUAL MEETING  
MONDAY, FEBRUARY 1, 2021  
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; Hannah Moller, Assistant Tax Collector/Treasurer; Finance Committee Members Bud Robertson, David Manugian, Scott Whitefield, Mary Linskey, Colby Doody, Art Prest, Gary Green; Community Preservation Members Carolyn Perkins, Tim Svartzkopf, Bruce Easom, Richard Hewitt, Anna Eliot, Bob DeGroot; Police Chief Luth; Bob Garside, Building Commissioner; Kent Leung; Ravilla Garthe

Mr. Robertson called the Finance Committee to order at 7:00pm.

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

**ANNOUNCEMENTS**

Chief Luth updated the Board on an emergency call that was taken in December by Dispatcher Weix and how Dispatcher Weix a couple of the Officers handled the situation. Chief Luth commended Dispatcher Weix and Officers O'Connor and Beal for the way in which they all handled the emergency situation. Ms. Manugian said that this was everything they hoped for adding it was important to have a department that worked well together. Ms. Pine said it was important for the Town to hear about this collaboration adding there were stories of departments in other places that were not able to work well together.

Ms. Pine wanted to thank the Kathy Shelp and Stacey Shephard Jones of the COA for the manner in which they decided to distribute the small number of vaccines they received from the Board of Health. She said they were hoping to receive more vaccines in the near future and would continue to work to vaccinate the residents of Groton.

Mr. Giger said that bad things happen in the middle of the night and thought that they should remember that when it came to staffing in the Police Department.

Mr. Prest thanked Ms. Shelp also and said they owed her a big debt of gratitude.

**TOWN MANAGER'S REPORT**

1. Mr. Haddad said that he had no update or changes in COVID protocols. He said that the employees were slated to return to Town Hall on Monday, February 8, 2021 by appointment only, unless the Governor decided not to lift the capacity limits.
2. Mr. Haddad said that they continued to be a yellow COVID community but the rate of positivity had declined. He said he hoped that things continued to keep moving in a positive direction.
3. Mr. Haddad said that they completed a search for an Assistant Assessor. He said that they received 18 applicants and interviewed 3 qualified candidates. He said that based on that they decided to appoint Ravilla Garthe from Tyngsboro as Assistant Assessor. He said that she really impressed them during the interview and was looking forward to adding her to the team. He asked the Board to ratify his appointment effective February 22, 2021.

*Ms. Pine moved to ratify the appointment of Ravilla Garthe as Assistant Assessor effective February 22, 2021. Ms. Manugian seconded the motion. Roll Call: Pine-aye; Manugian-aye; Giger-aye; Reilly-aye; Degen-aye*

## **9 WEST MAIN STREET – PACKAGE STORE LIQUOR LICENSE HEARING**

Mr. Haddad read the public hearing notice into the record.

Mr. Kent Leung, applicant, was present along with a number of abutters to the property.

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

Mr. Haddad said that this application had been two years in the making. He said that in 2019 they brought forward a warrant article to the Spring Town Meeting requesting 2 additional package store licenses with one of them being in West Groton. He said it was signed by the Governor in January of 2021. He said that as part of their request, the Town had to designate where the licenses would be assigned. He said that they had requested the additional license for West Groton Center and Four Corners to help with economic development. Ms. Manugian said that in 2007 a beer and wine license was approved for this location, 9 West Main Street and then transferred in 2012 to a subsequent owner adding there was history at this location of alcohol licenses. Ms. Manugian said that they had received letters with concerns about parking and traffic from abutters. She said that the applicant was also required to obtain permission from the Planning Board and other various boards. Mr. Haddad said that because the square footage was larger than 2500 sq ft, they would need a special permit from the Planning Board and would also need to address handicap accessibility issues.

Ms. Donna Nowak, 17 Pepperell Road, said she lived across the street from 9 West Main Street. She said she was not against commercial business, but said that if the park was used across the street from 9 West Main Street, she wondered who would be responsible for cleaning up alcohol containers. Ms. Manugian said that public consumption was still not allowed but wasn't sure they could prevent that from occurring. She said she would like to request that the owner clean this up if they see it happening. Mr. Haddad said that this was a package store license and alcohol was not to be consumed on premise. Mr. Leung said he would be open to discussing the clean up of a public park but didn't think it was incumbent on a business owner to clean a public space.

Ms. Gail Chalmers, an abutter, said that she had concerns. She said that there were a lot of elderly people that lived at Rivercourt who walked along the sidewalks in West Groton. She said she thought it was the wrong business for that location. Mr. George Barringer, also an abutter, asked the applicant to give them a short summary of his business plan. Mr. Leung said that it would just be a liquor store. Mr. Carl Canner, an abutter, said he sent a letter to the Board and read it into the record. (see attached).

Ms. Manugian asked Mr. Garside, Building Commissioner, if the use was allowed. Mr. Garside said that the use was allowed as a mercantile but could not speak for the Board of Health and the septic system.

Mr. Jack Petropoulos said that he had no objection to the use of this property as a liquor store but objected to the impact the neighborhood. He said that the park across the street had been cleaned up and thought it would be a shame to see it become a place for trash. Mr. Petropoulos said that signage was an issue for him also and didn't want to see signage advertising liquor not highly regulated. Mr. Barringer said that he would recommend that the Select Board review the past history of this building. He said that the Planning Board had concerns which the Building Inspector had just touched upon. Mr. O'Brien a resident of Pepperell Road said his main concern was Pepperell Road traffic control. He said that speeding was an issue. He said he was also concerned about the clientele that would be invited into the area to shop for hard alcohol. Ms. Effie Stewart, an abutter, said that she would support all comments made by the residents thus far and hoped that the Board considered the comments before making a decision. Ms. Ann Brady, an abutter, said that she wanted to emphasize the issue with speeding on Townsend Road. She said she was pro-business but thought way an owner took care of a building said a lot. Mr. John Masiello, a resident, said that he supported businesses and thought that anything that went into a community would be impactful. He said that business owners were always willing to listen to issues. He said that it would behoove the business owners and residents to try to resolve any potential issues that may arise.

Mr. Giger said that he had a couple of concerns. He said that parking was an issue and thought there might only be 2 parking spaces near the rear of the building. He said that the Police Chief said that parking should not be allowed along Townsend

Road and Pepperell Road. Mr. Giger said that it had been brought to his attention that 12 package stores had been identified within 12 miles of West Groton and wasn't sure they needed to add more to that.

Ms. Pine asked Mr. Leung where he lived. Mr. Leung was unable to answer questions. Mr. Haddad asked the Board to continue the hearing to next Monday at 7:15pm because of the applicant's trouble with connectivity. Ms. Pine said that there were 3 different addresses listed on the application. She asked what the original plan of the property was when he bought it. She asked if any improvements had been made since he purchased the building and about plans, they received in their packet. She said she wanted to ask about his experience running liquor stores. She said she wanted to hear for plans for parking and delivery of goods. Ms. Pine added she didn't recall being consulted about this location for a liquor store. Mr. Haddad said that during the presentation made at the 2019 Spring Town Meeting, it was stated that this location would be a potential location for a liquor store.

Mr. Leung said that his original intention was to open a dog supply store at 9 West Main Street. He said he applied for a liquor license there because there had been previous liquor licenses granted at this location. He said he also saw it as a lower intensity business because not everyone drank alcohol. He said he didn't consider convenience items because of the higher use.

Mr. Reilly said that he had concerns about the impact to the neighborhood and parking and traffic in general. Mr. Reilly said he also worried about the clean up of the park across the street. Ms. Carol Canner said that West Groton had been a walking community and something that should be considered. She said she didn't think a liquor store would add much to the community. Mr. Degen said he thought they were getting this application to early in the game. He said some issues needed to be worked out with the Planning Board first. He said that if all those things were worked out first, he didn't have an issue with free enterprise. He said he shared concerns with signage also. Ms. Manugian said she would be closest to where Mr. Degen was at this point. She said she shared a lot of the concerns but that some of the concerns raised had worked in the past. She said she had been a resident of West Groton once before and saw that things worked. Mr. Haddad said that the Board had 30 days to act on the license and needed to act by February 15<sup>th</sup>. He said that the applicant could choose to extend the application.

Mr. Robertson said that there were always cars at that location and always trucks adding he grew up in West Groton. He said that there would be cars. He said that there had been many businesses there that didn't make it adding that parking was always going to be a problem.

Mr. Leung said that the building sold alcohol within the last few years and wasn't sure what had changed and what made his request different. Ms. Manugian said that the hard alcohol brought a different piece to the puzzle.

Ms. Manugian said she would entertain a motion to continue the public hearing to next week at 7:15pm.

*Ms. Pine moved to continue the public hearing to Monday, February 8, 2021 at 7:15pm. Mr. Reilly seconded the motion. Roll Call: Pine-aye; Manugian-aye; Reilly-aye; Degen-aye; Giger-aye*

### **COMMUNITY PRESERVATION SURCHARGE PERCENTAGE DISCUSSION**

Mr. Easom called the CPC to order at 8:15pm.

Mr. Easom showed a history of the local surcharge and what matches by the State had been since the Act was adopted in Groton. He said that the fees collected at the Registry of Deeds was where the state match came from. He said that only those communities who adopted the 3% surcharge were eligible for the second and third round matches. He explained the trust fund outlook looking back to FY18 and how much it had increased over the last FY. He said that they were estimating a state match by the end of FY21 of about 60%. Mr. Easom said that a drop from 3% to 2.5% in surcharge would save the average homeowner \$35 per year but would lose the Town \$140K in state match. He said that to go from 3% to 2% would save the average taxpayer \$70 per year and would lose the Town \$178K in state match.

Ms. Manugian said that Mr. Degen had been tasked with understanding this as one of his goals. She said that when they originally talked about this, there was the possibility that the state match was going to be really low but according to this

report, that had changed. She said it made all the sense in the world to continue with the 3% surcharge at this point. Mr. Degen said that Mr. Easom had done a great job explaining to him at the last CPC meeting about the turnaround the Registry of Deeds had made with state match by increasing the fees collected. He said it made sense to stay at the 3% amount for at least the next few years.

Mr. Reilly asked if they were to go from 3% to 0% if they could use the money they had left and if they dropped out, could they get back in. Mr. Easom said that there used to be a 5-year minimum to stay as a CPA community but the process for getting in and getting out was the same as it had been when they joined. Ms. Pine said that if for some reason they decided to stop participating, they would face the problem of funding the housing coordinator and conservation fund. Ms. Pine said she thought they should continue at the 3% surcharge adding she never saw any merit in not continuing at the 3% rate.

Mr. Robertson said that this was a great return but thought they should keep looking at this every year adding there was the potential for overrides in future years. Ms. Manugian said she was prepared to mark the goal as completed and not make any changes this year.

Mr. Degen said that the other part of the discussion he had with the CPC was about the two at large positions appointed by the Select Board. He said that once the individuals serving no longer wanted to serve, that a member of the Finance Committee and Capital Planning Advisory Committee should serve in those seats. He said that the CPC was willing to entertain having a member of the Finance Committee and Capital Planning Advisory Committee serve as ex-officio members starting now. Ms. Manugian said it made sense to continue with the membership as it was until such time as those at large members decided to not seek reappointment.

*Mr. Giger moved to continue the 3% CPA surtax for 3 years and revisit it before the three years ended. Ms. Pine seconded the motion.*

Mr. Easom said that the motion should be to not place an article on the warrant to lower the surcharge. Ms. Manugian said she wasn't comfortable with putting a 3-year timeframe on this. Mr. Degen said he would recommend the Board say it had completed its goal and not recommend any warrant article for a change in the participation rate. Ms. Pine said that the motion tied a future Board into a timeframe. She said she preferred Mr. Degen's recommendation.

*Mr. Giger withdrew his motion.*

*Ms. Manugian moved to consider this goal handled and not recommend any changes. Ms. Pine seconded the motion. Roll Call: Pine-aye; Manugian-aye; Reilly-aye; Degen-aye; Giger-aye*

*Ms. Eliot moved to adjourn the meeting of the CPC at 8:44pm. Mr. Svarczkopf seconded the motion. Roll Call: Svarczkopf-aye; Eliot-aye; Easom-aye; Hewitt-aye*

### **TOWN MANAGER'S REPORT – CONT.**

Mr. Haddad said that they had entered into tentative agreements with 4 of the 7 unions. He said that they had entered into one (1) year Agreements with Groton Communications Officer, IBPO, Local #522; Town and Library Employees, SEIU, Local 888; Highway/Transfer Station/Water Employees, SEIU, Local 888; and AFSCME, Council 93, Local 1703, AFL-CIO. He said that all four of these Unions had agreed to freeze their salaries in Fiscal Year 2022 in exchange for one-time cash payments that would not be added to their base salaries. He said he was extremely grateful to these Unions for their willingness to work with the Town during these difficult fiscal times. He respectfully requested that the Board consider ratifying agreements with Communications, Supervisors and DPW unions.

*Ms. Pine moved to ratify the agreements with the 3 unions, Groton Communications Officer, IBPO, Local #522, Highway/Transfer Station/Water Employees, SEIU, Local 888, and AFSCME, Council 93, Local 1703, AFL-CIO.*

Ms. Pine added her own thank you to the employees for working with them on this to freeze their salaries adding the one-time payments did not equal what they would have received.

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

Mr. Degen was not present for this vote due to connectivity issues.

*Mr. Degen texted the Town Manager that he was in favor of the above motion.*

Mr. Robertson adjourned the Finance Committee at 8:50pm.

Mr. Haddad said that the Select Board adopted a policy that stated the Board would only consider supporting and providing letters of recommendation for Community Preservation Projects that were either on Town property or required approval of the Select Board. Mr. Haddad said that he had provided full copies of these proposals to the Board under separate cover.

- **CPC #2022-02 – Field and Recreation Feasibility Study** – Ms. Manugian said that she thought the application included too much and thought it should be broken down further. Ms. Pine said she shared the concerns. Mr. Reilly said he wanted to see the study done also but didn't read it that way. Ms. Eliot said that the request was for \$120K. She said that on behalf of the Park Commission, the feasibility and design went hand in hand. Ms. Manugian said they needed to do a study, then design it and then construct it and thought it should be a multistep request.

*Ms. Manugian made a motion to not support this application. Ms. Pine seconded the motion.*

Mr. Reilly said he supported the application as presented and would not support the motion on the floor. Mr. Giger said he did not support the motion. Because there were only 4 of them present, they decided to table this until their next meeting when all 5 of them could be present.

- **CPC #2022-03 – Non-Point Sources of Pollution of Lost Lake/Knops Pond Watershed** – Mr. Haddad said this was a continuation of their lake management plan. Ms. Manugian said that the issue was phosphorus which was from fertilizer and was not sure she could support this application. Ms. Pine said she was willing to support this.

*Mr. Reilly moved to support CPC application #2022-03 – Non-Point Sources of Pollution of Lost Lake/Knops Pond Watershed. Mr. Giger seconded the motion. Manugian-no; Pine-aye; Reilly-aye; Giger-aye*

- **CPC #2022-07 – Duck Pond Restoration & Preservation, Phase 2** – Mr. Haddad said that this was successful project and recommended that they support the continuation of this project.

*Ms. Pine moved that they write a letter of support for CPC application #2022-07 – Duck Pond Restoration & Preservation, Phase 2. Ms. Manugian seconded the motion. Roll Call: Pine-aye; Manugian-aye; Reilly-aye; Giger-aye*

- **CPC #2022-12 – Multi Use Recreational Courts at the Groton Country Club, Restoration Project** – Mr. Haddad reviewed the project. He said that he had been working with this group from day one adding he was wholeheartedly in support of the refinishing of these courts. Ms. Manugian asked if there would be an outcry for the loss of tennis. Mr. Haddad said that they didn't have any nets up there as it was. Ms. Pine said that the group had done a great job with this application and thought it would be an asset. Mr. Haddad said that the Town would be responsible for the upkeep of this. Mr. Giger questioned the number of pickleball

courts they could add and asked if they would be expanding the size of the courts there already. Ms. Anctil said that they were not changing the current footprint but would be able to fit 8 pickball courts, and one tennis court which would also serve as half a basketball court.

*Ms. Pine moved to write a letter of support for CPC application #2022-12 – Multi Use Recreational Courts at the Groton Country Club, Restoration Project. Mr. Reilly seconded the motion.*

Ms. Manugian said her concern was that it was a lot of money adding it should be included in a longer-term capital plan for the Country Club. Mr. Haddad said the project cost was \$175K which included design, bid and construction. Ms. Pine said there was excitement at the Non-Profit meeting for this. She said it may not be in a comprehensive plan but was a good thing to do.

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

- **CPC #2022-13 – Original Interior Skylight Restoration** – Mr. Haddad said that this was an application for the library totaling \$3K.

*Ms. Pine made a motion to support CPC application #2022-13 - Original Interior Skylight Restoration. Ms. Manugian seconded the motion. Roll Call: Manugian-aye; Pine-aye; Reilly-aye; Giger-aye*

4. Mr. Haddad said that several years ago, when they sold the Tarbell School, the Town received an easement for use of the playground located on the former School Property. He said that there was a provision in the deed that allowed the Town to release the easement if it no longer wished to use it. He said that the new owners of the condominiums in the former School did not want the playground on their property and wished to remove it. Mr. Haddad said it had been years since the playground had been used and saw no reason why they would not release it. He said he had checked with Town Counsel who had advised him that the Select Board could vote to release the easement at their discretion. Mr. Haddad respectfully requested that the Board vote to release the Easement.

Mr. Giger asked if there were any town materials on that playground. Mr. Haddad said he was unsure. Ms. Pine asked if there were children in that neighborhood that used that equipment. Mr. Giger asked if the abutters were notified about this. Mr. Haddad said that the owners of the property had requested this and didn't think to notify the abutters. Ms. Manugian said she couldn't support this adding the owners moved in knowing this easement was there. Mr. Haddad said he would notify the abutters and bring this back to a future meeting.

5. Mr. Haddad said he was pleased to report to the Board that he had applied for and successfully received a \$30,000 Community Compact Grant to install three (3) electric car charging stations at various locations in Groton. He said that given their "Green Communities" status, this was an exciting opportunity for the Town. Mr. Haddad said that the Electric Light Department and Highway Department would provide the work necessary for the installation but that they needed to determine where to install them. Mr. Haddad recommended to the Select Board that they install one at the Library, one at the Prescott School and one on Station Avenue, either at Town Hall or at the Electric Light Building.

Ms. Manugian said she was very excited about the grant and the initiative. She said that Library location made sense and couldn't support one behind Prescott School adding it made sense to put 2 of them outside of Town Hall. Ms. Pine said she too was very excited about this. She said that she reached out to ask where the best place to install these stations was adding the Library made sense, that Prescott made sense but was concerned about taking up spaces behind Town Hall. Mr. Giger asked how long one would have to charge their vehicle. Ms. Manugian said it would be app based and something the user would have to pay for. Ms. Manugian said it would make sense to limit it to half hour uses, etc. Mr. Haddad said he would bring this back with answers to their questions.

6. Mr. Haddad said that as discussed at the January 23rd Budget Hearing, he had met with Josh Degen, Bud Robertson, Mike Luth, Patricia DuFresne and Dawn Dunbar to discuss the impact of not filling the Patrol Officer Position and

whether or not they should continue to fill shifts with overtime. He said that they reviewed all information and had developed a plan to address staffing in the Police Department. Mr. Haddad said that given the various unknowns, including finalizing both the Groton Dunstable and Nashoba Tech annual assessments, they wanted to hold off on any formal recommendation for right now.

**ON-GOING ISSUES**

B. Mr. Haddad said that they met with the BOH earlier that evening to discuss polystyrene containers. Mr. Haddad said that the BOH would be discussing the possibility of adding a warrant article at their meeting on February 17<sup>th</sup>.

**MINUTES**

The meeting minutes were put off until next week.

Ms. Manugian adjourned the meeting at 9:30pm.

Approved: \_\_\_\_\_  
Rebecca H. Pine, Clerk

\_\_\_\_\_ respectfully *submitted*:  
Dawn Dunbar, Executive Assistant

Date Approved: 2/8/2021