

**SELECT BOARD MEETING MINUTES  
VIRTUAL MEETING  
MONDAY, MARCH 22, 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; Michael Hartnett, Tax Collector/Treasurer; Hannah Moller, Assistant Tax Collector/Treasurer; Bud Robertson; Jim Gmeiner, Water & Sewer Commissioner; Jason Kauppi, Town Moderator; Olin Lathrop, Conservation Commission; Susan Bryan; Al Futterman, NRWA; Paul DeRensis, Town Counsel; Bob Collins

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

**TOWN MANAGER'S REPORT**

1. Mr. Lathrop said that the Forest Legacy Program was run by the Federal Government and was there to preserve forested lands. He said that in order to qualify for the program, 75% of the land must be forested, it must be at risk, there must be a management plan, and that a CR or fee be held/owned by a government entity. He said that they were eligibility for reimbursement was 75% which was more than a Land Grant. Mr. Lathrop said that they had just completed an application to be submitted to the State to start the process. He said that they were focusing on the Nashua River adding that 13 towns were coming together on this application.

Mr. Lathrop said that the Surrenden Farm Reserve Parcel was purchased with CPA money but that 14.5 acres had been set aside for a potential use other than open space. He said that if they used the reserve parcel, Joy Lane would be discontinued and access would have to be through General Field. Mr. Lathrop said that the right thing, long term to do was give the reserve parcel to the Conservation Commission. He said that they could leverage this land against other land they have and get reimbursement from the Forest Legacy program. He recommended that the Board recommend against the citizen's petition now. He said that if it was transferred now, the land would not be eligible for the Forest Legacy program. Mr. Lathrop said that land under the control of the Conservation Commission would no longer be considered at risk.

Ms. Pine said she didn't think there was actual risk to turning down the citizen's petition at this point adding there was a benefit to hold off as explained by Mr. Lathrop. Ms. Manugian thanked Mr. Lathrop for the information and presentation.

**TRAFFIC RULES AND ORDERS PUBLIC HEARING CONTINUATION**

*Ms. Pine moved to re-open the public hearing on the Traffic Rules and Orders. Ms. Manugian seconded the motion. Roll Call: Degen-aye; Pine-aye; Giger-aye; Reilly-aye; Manugian-aye*

Mr. Haddad said that they held a public hearing on March 8, 2020 and continued to provide some additional information. He said that they adopted all changes the Board accepted already and red-lined the document with concerns and questions raised by the Board at the meeting of March 8th.

Mr. Haddad reviewed changes to the document. There was a discussion on whether public and private roads should be listed separately. Mr. Giger suggested adding language that for questions about private roads, they could be directed to the DPW Director.

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

Mr. Degen said that the 30-mph speed limit on all non-posted small streets should be clarified before they close the public hearing. Mr. Haddad said that in order to do anything on unposted roads, it required a speed study and compliance with Mass

Highway regulations. He said that this process would take some time and wasn't sure it would behoove them to hold up approving the regulations for this.

*Ms. Pine made a motion to approve the Traffic Rules and Orders as presented with the addition of language as suggested by Mr. Giger. Ms. Manugian seconded the motion. Roll Call: Degen-abstain; Manugian-aye; Pine-aye; Giger-aye; Reilly-aye*

### **2020 SPRING TOWN MEETING WARRANT PUBLIC HEARING CONTINUATION**

*Ms. Pine moved to re-open the public hearing to discuss the spring town meeting warrant. Mr. Reilly seconded the motion. Roll Call: Degen-aye; Pine-aye; Giger-aye; Reilly-aye; Manugian-aye*

Mr. Haddad said that he provided the Board with an updated warrant earlier in the day. He reviewed some potential changes that would be forthcoming to the layout of the warrant. Mr. Haddad reviewed the potential consent agenda groupings.

Mr. Collins said he was present on behalf of 108 Pleasant Street. He said that they were looking to connect the existing house and carriage house to municipal sewer. He said that there was a line that extended down West Street already which abutted the property. He said that the district would need to be extended to allow for this house to connect at the owner's expense. He said that they had a failed septic system and needed to connect. Ms. Manugian asked if a septic was viable or practical. Mr. Collins said that the Title 5 failed inspection last year and made some sense to connect to sewer adding the property could support a new system. He said that the owner, Ms. Bryan, would like to disrupt the landscape as least as possible adding this option would be the least disruptive. Ms. Manugian said that a septic system could limit future development whereas a sewer connection would not. Mr. Collins said that the property was a seven-bedroom dwelling and would be presenting that same number of bedrooms to the Sewer Commission next week. Mr. Reilly asked if the existing septic would be torn out. Mr. Collins said it would need to be decommissioned. Ms. Pine said that this property was a whole in between the existing sewer limits and wasn't sure it made sense to not support this.

Mr. Haddad said that the land transfer to the Housing Authority article was withdrawn but that Mr. Black asked that the property, which was owned by the Town, be granted a right of first refusal to the Housing Authority. He said that he thought the request was reasonable adding they were working on a plan and asked the Board to consider taking that vote that night. Ms. Pine said that the property has some obstacles to conquer and thought that if there was a plan to develop affordable housing, she wasn't sure why the right of first refusal would be necessary.

Mr. Haddad said he didn't have anything to add to the public hearing and unless there were any other issues, he suggested closing the public hearing.

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

Mr. Haddad said he had also set aside time for the Board to start to take positions now if they wished. The Board took the following positions:

Article 1 – Unanimous Support

Article 2 – Unanimous Support

Article 3 – Unanimous Support

Article 4 – Unanimous Support

Article 5 – the Board asked to wait to hear from the Finance Committee.

Article 6 – Capital Items:

Item 1 – Unanimous Support

Item 2 – Unanimous Support - It was discussed that breaking out the 2 dump trucks would make it less confusing.

Item 3 – Unanimous Support

Item 4 – Unanimous Support

Item 5 – Unanimous Support

Item 6 – Unanimous Support

Item 7 – Unanimous Support

Item 8 – Mr. Haddad said that he had spoken to Mr. Campbell about the golf carts. He said that his plan was to someday convert the golf cart fleet to electric carts. He said that the only issue with doing this now was that the Club did not have the infrastructure to house/charge an electric fleet. Mr. Haddad said that Mr. Campbell was recommending that the Club move forward with a gas-powered fleet this summer and hire a company to come up with a site plan and cost to construct a building to house not only the golf cart fleet, but also the greens equipment, as they are currently stored in the basements of other Country Club buildings which was not ideal. Mr. Haddad said it was Mr. Campbell's intention to individually auction the carts off at whatever trade-in value is provided to the Town by the company the Club would purchase the new carts from. He said that any remaining carts not sold at auction, would be traded-in. Ms. Manugian asked if they could hold off on this for a little bit.

Item 9 – Unanimous Support

Item 10 – Unanimous Support

Item 11 – Unanimous Support

Article 7 – Mr. Giger-at Town Meeting; Pine, Manugian, Reilly, Degen-support

Article 8 – Unanimous Support

Article 9 – Unanimous Support

Article 10 – Mr. Degen-at Town Meeting; Pine, Manugian, Reilly, Giger-support

Article 11 – Defer to Town Meeting

Article 12 – Manugian-defer; Pine-aye; Degen-defer; Reilly-defer; Giger-defer – There was a discussion amongst board members about the value of the easement (request from Kevin Lindemer for an easement under the golf course so he could extend the sewer system to his property) and needing to agree upon a number before town meeting if they were to consider supporting this article. Mr. Robertson agreed with Ms. Manugian that there was nothing out there that said what an easement of this type would be valued at. Discussion ensued about who would benefit from the value of the easement. Mr. Degen asked how many linear feet they were talking about. Mr. Haddad said he recalled 300 feet. Mr. Degen suggested that they figure out how many buildings lots could be put on that section of the golf course. Ms. Manugian said that there were professionals out there that could determine all this.

Article 13 – Mr. Degen asked about the extra money being put into CPA operational expenses. Mr. Haddad explained why they requested the increase (to cover the CPA Admin's time). The Board unanimously supported this.

Article 14

A – Unanimous Support

B – Unanimous Support

C – Manugian-defer; Pine, Degen, Reilly, Giger - Support

D – Manugian/Degen/Reilly/Giger-defer. Ms. Pine said that a lot of other towns pass on money to be used for affordable housing as opportunities arise which might require site assessment studies to occur. She said she wanted to understand more what the resistance was. Ms. Manugian said that they had 3 different committees for affordable housing all of which didn't have a cohesive direction as far as she was concerned. Ms. Pine explained some distinctions between the Affordable Housing Trust and Housing Authority. Mr. Degen said he didn't want to be painted as not being an advocate for affordable housing. He said he was not in favor of an application for \$150K which was predicated on looking at Surrenden Farm and other properties that had been removed from lists and reports. Mr. Degen said he agreed that there wasn't a cohesive plan for moving forward with affordable housing. Ms. Pine said that if this article passed, they couldn't spend this money until after July 1. She said that that there was an upcoming housing summit in which potential ideas for plans would be discussed. She thought they needed to have money available to them should something come up. She said that nothing precluded the Trust from allocating some of the money for the Authority should they have an opportunity arise. Ms. Manugian said she didn't agree. Mr. Degen said he would love to see the Trust pull this article. Mr. Giger agreed with what had been said. He said he was hesitant to see the CPC basically write a blank check for \$150k. He said there was no model on how land was going to be evaluated. Ms. Pine said that the process they took to look at the Surrenden Farm property was to wait for the Housing Production Plan which they did which prompted them to look at the land.

Degen, Giger, Manugian, Reilly-no; Pine-support

Item E – Unanimous Support

Item F – Unanimous Support

Item G – Unanimous Support

Item H – Unanimous Support

Item I – Manugian – no. She said that they had other priorities they should be leaving this money for. Mr. Degen said that the Commission had been good stewards of this money. He said that if they didn't have their money, they would have to wait for town meeting for approval and could lose out on grants. Pine, Giger, Degen, Reilly - support.

Item J – Degen, Giger-at Town Meeting; Pine, Manugian, Reilly - support

Item K – Unanimous Support

Article 15 – Defer to Town Meeting

Article 16 – Defer to Town Meeting

Article 17 – Unanimous Support

Article 18 – Pine, Manugian-no; Giger, Reilly, Degen-support

Articles Contained in Consent Agenda – Defer to next week.

Ms. Manugian said she felt in this state of age that electric vehicles, even golf carts, were proven and should be going in that direction. Mr. Haddad said that as discussed last week, they had an issue with a lack of infrastructure and would cost money to construct a building for them as well as separate charging stations. He said that the current carts were left outside because they didn't have a place to house them. Mr. Haddad said that the cars were in bad shape and needed to be replaced. Mr. Giger said that they figured out how to obtain charging stations for vehicles in Groton and could try to purchase some electric ones and put in charging stations. Mr. Haddad said he didn't have a budget to add any charging stations at the Country Club. Mr. Reilly said that the timing was not ideal on this discussion adding they needed the carts. He thought it was a good idea to continue to research this but added they needed the carts. Mr. Degen said that when they purchased the golf carts 8 years ago, they considered electric carts. He said that electric carts would not work as well on the hilly terrain as it was determined at that time adding that maybe the carts had improved since then. He suggested that they try to get another year out of the best carts and use some free cash to look at building infrastructure. Mr. Haddad said that they didn't have money for electricity or infrastructure.

Golf carts – defer to Town Meeting. Degen said he was in favor of a hybrid plan but would defer for now. Ms. Manugian was good to defer. Mr. Giger said he was good to defer until they understood the construction cost estimates.

### **TOWN MANAGERS REPORT – CONT.**

2. Mr. Haddad said that unfortunately, the Town reverted to "yellow" status after being "green" last week. He said that it was their policy that once they achieved "green" status for two consecutive weeks, they would re-open the Town Hall and end their appointment only policy. Mr. Haddad said that they continued to operate under all other protocols adopted by the Select Board last summer. He said that they had trended higher for the first time in two months with 17 positive tests (out of 1386) and a 1.23% positivity rate. He said they would continue to monitor the health report each week and adjust any of their protocols as necessary.
3. Mr. Haddad respectfully requested that the Select Board authorize him to issue an RFP for Town Counsel Services. He said that he had discussed this in detail individually with several members of the Board and believed it was important to find out what other firms were available and what kinds of services were provided. Ms. Manugian said that if there was desire to do so, they could meet in executive session to discuss current concerns and counsel's response to that.

Attorney DeRensis said that this weekend was the first he had heard this was going to be on the agenda adding it was a complete surprise to him. Mr. DeRensis said he wrote to Mr. Haddad over the weekend to apologize that the ball had been dropped on a legal opinion, and received no reply. He said he thought he and the Town Manager had been

working well together and was requesting an Executive Session to hear why this was coming up. He said he thought there was some equity and fairness to allow him an opportunity to hear what the issues or concerns are.

Ms. Manugian said she wasn't sure there was a particular new or single impotence for this coming up but more so a continuation of conversations they had had in past months. Mr. Haddad said that the Select Board did not hear from department heads and other boards and committees about wanting to go out to RFP to see what is out there for Counsel. He said that when KP Law was counsel, they went out to RFP twice where the second time they changed counsel. He said he wasn't sure what another Executive Session was going to achieve and asked that he be allowed to issue an RFP. He said KP Law was not afforded the opportunity to an Executive Session and wasn't sure why this was different here. Mr. Giger said he didn't support throwing an RFP out there that night. He said it wasn't clear what the issues with current counsel were. He said that Mr. Degen volunteered last time to conduct some mediation and wasn't sure where that was. Mr. Degen said that he developed a large list of issues department heads, etc. had with Counsel. He said that Counsel also had a list of issues he had dealing with the town. Mr. Degen said that Mr. Haddad and Counsel worked well together for the last 6 months. He said it wasn't worth putting everyone in a room as the issues had been hashed out. He said that Mr. Haddad had not seen an improvement in concerns. He said he asked the Chair to remove this from the agenda and go into another executive session before deciding on another RFP or not. Ms. Pine said it was respectful to allow for an executive session. Mr. Haddad insisted that department heads and boards and committees be invited to be heard.

4. Mr. Haddad reviewed the Board's upcoming schedule.

#### **ON-GOING ISSUES**

Mr. Haddad said that they received a phone call from the Green Communities Coordinator about a site visit next Wednesday which was the final step in closing out the grant.

#### **MINUTES**

*Ms. Pine moved to approve the meeting minutes of March 15, 2021 as presented. Mr. Reilly seconded the motion. Roll Call: Degen-aye; Pine-aye; Giger-aye; Reilly-aye; Manugian-abstain*

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

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

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

Date Approved: 3/29/2021