

**SELECT BOARD MEETING MINUTES
VIRTUAL MEETING
MONDAY, APRIL 12, 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; Michael Hartnett, Tax Collector/Treasurer; Hannah Moller, Assistant Tax Collector/Treasurer; Megan Foster, Principal Assistant Assessor; Patricia Dufresne, Town Accountant; Shawn Campbell, Country Club General Manager; Michael Bouchard, Town Clerk; Finance Committee Members: Robertson, Doody, Manugian, Prest, Linskey, Whitefield, Green; CPC Members: Easom, Perkins, Eliot, DeGroot, Emerson, Hewitt; Eileena Long and David Saindon, Left Field; Fay Raynor, GDRSD; Kevin Lindemer; Affordable Housing Trust Members: Lane-Hand; Perkins, Perini; Fran Stanley, Housing Coordinator

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

Mr. Robertson called the Finance Committee meeting to order at 7:01pm.

TOWN MANAGER'S REPORT

1. Mr. Haddad said that as part of the Florence Roche School Construction Project, the MSBA required the Town and District to enter into a Project Scope and Budget Agreement. Mr. Haddad said that Town Counsel had reviewed and approved the Agreement as to form. He said that since the Town would be borrowing the funds on behalf of the District, both the Select Board and Regional School Committee would have to approve the Agreement. Mr. Haddad said that in order to approve the Agreement, the Select Board needed to take the following two votes:

Motion #1: "The Select Board acknowledges and approves the following statement. The following elected or appointed governmental officer(s) and/or governmental body has the full legal authority under the laws of the Commonwealth of Massachusetts and all applicable local charters, ordinances, by-laws, and policies to execute and deliver the Project Scope and Budget Agreement, and any amendments thereto, on behalf of the District and to bind the District to its terms and conditions: Superintendent and Town Manager."

Motion #2: "The Select Board acknowledges and approves the following statement. The following elected or appointed governmental officer(s) and/or governmental body has the full legal authority under the laws of the Commonwealth of Massachusetts and all applicable local charters, ordinances and by-laws to make final, binding decisions on behalf of the District with respect to the Proposed Project described in the Project Scope and Budget Agreement and any amendments thereto: Superintendent and Town Manager."

David Saindon and Eileena Long from Leftfield, the Project OPM, were in attendance. Mr. Haddad asked the Board to consider taking a vote on the above two motions. Ms. Raynor said that it would be approved by the School Committee tomorrow night and saw no issue with the School Committee approving these. Mr. Haddad said that these allowed them to approve the budget but did not trump the town meeting vote or ballot vote. He said it allowed the Superintendent and Town Manager to approve the budgets. Ms. Pine asked if both the Superintendent and Town Manager both had to agree on a budget decision. Mr. Haddad said that they did but couldn't do so without the School Committee and Building Committee approval also.

Ms. Pine moved that the Select Board acknowledge and approve the following statement: "The Select Board acknowledges and approves the following statement. The following elected or appointed governmental officer(s) and/or governmental body has the full legal authority under the laws of the Commonwealth of Massachusetts and all applicable local charters, ordinances, by-laws, and policies to execute and deliver the Project Scope and Budget Agreement, and any amendments thereto, on behalf of the District and to bind the District to its terms and conditions: Superintendent and Town Manager." Mr. Reilly seconded the motion. Roll Call: Pine-aye; Manugian-aye; Degen-aye; Reilly-aye; Giger-aye

Ms. Pine moved that the Select Board acknowledge and approve the following statement: “The Select Board acknowledges and approves the following statement. The following elected or appointed governmental officer(s) and/or governmental body has the full legal authority under the laws of the Commonwealth of Massachusetts and all applicable local charters, ordinances and by-laws to make final, binding decisions on behalf of the District with respect to the Proposed Project described in the Project Scope and Budget Agreement and any amendments thereto: Superintendent and Town Manager.” Mr. Reilly seconded the motion. Roll Call: Pine-aye; Manugian-aye; Degen-aye; Reilly-aye; Giger-aye

2. Mr. Haddad said that Chapter 5 of the Acts of 2021 authorized temporary changes to local elections held before June 30, 2021. He said that there were two changes that impacted this year’s Annual Election scheduled to be held on May 25, 2021. First, individuals taking COVID-19 precautions can vote absentee and, second, early voting had been authorized. Mr. Haddad said that he had provided the Board with a memo from the Town Clerk Michael Bouchard outlining how he would like to implement these changes for the Annual Election.

Mr. Bouchard said that absentee balloting was available for the local election this year due to COVID-19. He said that that would not be sending out applications proactively. He said they could be downloaded from their website and submitted. Mr. Bouchard said he didn’t see a reason to extend the election at this time and would be held from 7am-8pm on May 25th. Mr. Bouchard said that he would like to implement in-person early voting which he was recommending be held on Monday, May 17th-Thursday, May 20th at the Town Hall during normal business hours. Mr. Bouchard said that a vote would be needed by the Select Board citing the days and hours of early voting.

Mr. Degen made a motion that they accept the Town Clerk’s recommendation that early voting, in person, take place on Monday, May 17th 8-7, Tuesday May 18th 8-4, Wed, May 19th 8-4, Thurs, May 20th 8-4pm, that absentee ballots can be requested by telephone at 978-448-1111 and that early voting applications would be accepted effective immediately. Ms. Pine seconded the motion. Roll Call: Pine-aye; Manugian-aye; Degen-aye; Reilly-aye; Giger-aye

AFFORDABLE HOUSING TRUST – CPA APPLICATION REQUEST

The Community Preservation Committee and Affordable Housing Trust called their meetings to order at 7:19pm.

Ms. Pine said that the money they were requesting from the CPA would be used to perform engineering work, site tests, perk tests, etc. so that they could see if sites were viable options in order to see what state funds were available in an effort to provide affordable housing in Groton. Ms. Manugian said her concern with this application and request was process related adding she wanted to make sure everyone was at the table and that this was a coordinated effort. She said that they had 3 housing committees in town as an example and thought that they needed to have a housing forum first to discuss priorities, what they wanted to invest, median criteria, timeframes, etc. Mr. Giger said that he had a lengthy conversation with Trust Member Ms. Perkins last week, whom he respected greatly. He said that he was concerned about the amount of money being asked for in the first year of this initiative. He said he could support this if the funding request was cut in half to \$75K. Ms. Lane-Hand of the Trust said they had families that needed housing and wanted to be able to move quickly. She thought they could address a lot of what Ms. Manugian asked for at the community forum that was coming up. She thought this was too important to have it held up at this time. Mr. Degen said that the work the Trust was striving to do was important but hadn’t seen a cohesive effort on housing adding Ms. Manugian’s comments summed up his concerns also. Mr. Degen said that when the Trust first came forward with an application, they were looking at the reserve parcel at Surrenden Farm, which was off the table now. He said he would be more comfortable with a reduction in their request to \$30-40K but would rather not see them allocate any money at this time and wait until after the housing summit was done. Ms. Eliot said she would like to see a strategic plan submitted and thought the Trust, Partnership and Authority should work together on this. Ms. Eliot said she thought they should withdraw this article. Ms. Perkins said she wanted to remind people that the next opportunity to apply for money was next July. She said she was not opposed to reducing this but thought obtaining money now and applying in a future year was something she could support. She said that just because this money was being requested by the Trust, it didn’t mean that the groups couldn’t work together for a common goal. She said that the application change (removing Surrenden Farm reserve parcel) wasn’t a drastic change adding that many CPA applications change over the course of the application cycle.

Ms. Pine said that the money could be spent on anything legal within the law and CPC constraints. She said that there was no competition here. Ms. Pine said it was true, they didn't know what a project might look like adding that 50 units would be of interest for tax credits, grants, etc. and that they would be looking at rental units and not homeownership units. Ms. Stanley said that the low-income tax credit program was only for rental units and the most affordable for low-income housing units. Ms. Pine said that units were being created through a variety of methods and were almost always homeownership units. She said that developers didn't want to be in the business of managing and upkeeping rental units. Mr. Degen said that all these points coming up now showed there was a lack of a cohesive plan. Mr. Green said that this was going to take a while adding partnerships were going to need to be formed, location(s) would need to be found, details finalized, etc. Ms. Pine said that the whole purpose of going this route would be to hand this over to people to finalize these details. She said that this was a state and federal program they wanted to be able to utilize.

Ms. Manugian reviewed what they were being asked to support in the Trust's CPA application. Ms. Pine said that they could compromise and reduce their request to \$100k if they thought they were asking for too much money. Mr. Degen said if they found a parcel that was private owned and performed site analysis, the price of the land would go up should it show favorable testing. He said that based on this he could not support this application. Ms. Stanley said that the Trust would be very careful in investigating private land. Ms. Perkins said that they would not go in and perc someone's private property. She said that they would work with a private owner to support a project he/she might be interested in. Mr. Robertson asked what would be in place next year if this didn't pass this year. Ms. Pine said that they had a housing production plan, and had coordinated with the other 2 housing groups. Ms. Manugian said she would like to see what the options were, criteria were, etc. She said there needed to be more conversation and clarity on what the best long-term answer was for their community. Mr. Degen said that there needed to be synergy, something that didn't exist until now and thought this was their chance to do it right. Mr. Giger said that it had always puzzled him why they hadn't done much with affordable housing. He said that he was thrilled to see people working on this. He said that the Trust understood that if they didn't use this money right, they wouldn't get more. He said that he thought they should reduce the money being requested, develop a plan and see this move forward. He said that they needed to trust the people working on this.

Ms. Manugian asked the Trust if they wanted to change their requested amount in hopes of garnering more support. Mr. Haddad read a comment from Deb Busser into the record: *I don't understand the issue here. It sounds like everyone is in favor of affordable housing. Wouldn't we just be transferring money that is already sitting in CPC funds for this express purpose to essentially another account also for this express purpose? I believe we need to trust the people that are closest to this and working on it on a daily basis.*

Ms. Lane-Hand left the meeting at 8:00pm.

Ms. Pine said that the Trust was meeting later this week and could discuss reducing their request. She said she didn't think they should attempt to agree to a reduction without one member present. Ms. Eliot asked if the CPC could vote to ask the Trust to reduce their requested amount. Mr. Eason said that they could discuss that when they returned to their CPC meeting. Mr. Reilly said he thought projects would happen by private developers despite their efforts here. Mr. Reilly said he didn't want to kick the can but thought good points had been raised. He said that his only problem with this was a lack of plan and a lot of might's and maybe's. Ms. Manugian said that spending money furthered them along a pathway when a path hadn't been determined. She said there was not an amount she would support at this time. Mr. Degen said that if this was going to be brought to Town Meeting, this same discussion was going to be had which would take away from the synergy that had been achieved thus far. Ms. Perkins said that they met with the Select Board a year ago. She said that they took that discussion and followed up on the points made. She said that now they were here and asked where the Boards leadership was. She asked what they intended to do to better organize this adding they couldn't keep doing this. She said it was very frustrating to assist with housing goals and receive no leadership. Ms. Manugian said that this discussion was the leadership. Mr. Degen said that the lack of cohesiveness was why he brought this forward to the Diversity Task Force for more discussion and support. Mr. Perini said that he didn't understand what would happen once a plan was determined based on this discussion. He said that everyone would always have a different view or opinion. He said that all this was showing the voters was that they didn't have support for funding and wouldn't be moving forward with affordable housing.

Mr. Giger said he could not support the \$150K but could support a lesser amount. Mr. Reilly said he could not support \$150K. Ms. Manugian said it sounded like they were staying as 4 who did not support this article. Ms. Pine said she would be willing to reduce the amount to \$75k. Ms. Perkins and Mr. Perini said that they would also agree to support a reduction to \$75K.

Ms. Pine moved that the Affordable Housing Trust reduce their CPA application request to \$75K. Ms. Perkins seconded the motion. Roll Call: Perkins-aye; Pine-aye; Perini-aye

Mr. Haddad asked the CPC to take a position on the \$75k. Mr. Easom said he would entertain a motion to bring to Town Meeting an application for \$75K. Ms. Eliot made the motion. Mr. Hewitt seconded. Roll Call: DeGroot-aye; Eliot-aye; Hewitt-aye; Perkins-aye; Easom-abstain. Mr. Emerson was not available to respond and was left to decide at Town Meeting.

Mr. Robertson asked the Finance Committee for a motion to agree to support CPC application for site assessment of \$75K. Mr. Manugian made the motion. Mr. Prest seconded the motion. Mr. Manugian said that this study addressed numbers 2 and 3 in the Housing Production Plan but wasn't able to address regulatory and zoning constraints. He said that their zoning wasn't there adding they needed to look at density first. Manugian-no; Green-no; Prest-defer to Town Meeting; Colby-Support; Whitefield-Defer to Town Meeting; Linskey-Defer to Town Meeting; Robertson-support

The Select Board took the following position on this change: Pine-support; Reilly-Defer to Town Meeting; Manugian-no; Degen-no; Giger-support

The CPC left the meeting to reconvene at their separately posted meeting.

TOWN MANAGER REPORT CONT.

3. Mr. Haddad reviewed Article 6 – Capital Budget – Item #8 – Golf Carts – He said that after investigating the potential for moving to electric golf carts this summer at the Country Club, he was recommending a hybrid approach in which they purchase 21 gas powered carts and 4 electric carts. He said that this would allow them to determine the long-term viability and cost of moving to a total electric fleet and not require any additional capital expenses in FY 2022. He respectfully requested that the Board vote to approve this approach. The Capital Request of \$25,000 would not change.

Mr. Campbell said that an estimate received earlier that day showed a good trade in value with the current fleet adding the estimate came in just below \$25,000. Ms. Manugian said that they were at the same request but a different approach. Mr. Haddad said that they would not need to spend any additional money on infrastructure adding they had room in one of the garage bays to house the four electric carts. Ms. Pine asked if they would be locked into using the same supplier after 2 years. Mr. Campbell said that they could use another vendor after 2 years if they choose. Ms. Pine said that this approach was a good one. Ms. Manugian said she also would support this. Mr. Degen said that after 2 years, they could trade in the gas carts but said something about at a certain value. Mr. Campbell said he did not know what the trade in value would be after 2 years. Mr. Degen said he was at Town Meeting without that number. Mr. Haddad said that they would not know what the condition of the carts would be, what the usage was, etc. and could not know what that value was. Mr. Degen said he was a no. Mr. Giger said he felt much better about this hybrid approach after the information was provided by Mr. Campbell. He said that this was the best way to move forward as they moved toward the next round of cart replacement adding he would support this. Mr. Prest supported the plan but needed to understand the long-term capital costs. Mr. Robertson asked if there was Green Communities money or CPA funds available. Mr. Haddad said that Green Communities could not pay for carts and that the infrastructure being covered was unlikely. Mr. Robertson said that the Capital Planning Advisory Committee voted for this plan and therefore he would support this plan. Ms. Linskey said that this plan was what they asked for. Mr. Reilly said he liked where they were at with this compromise and supported this proposal.

Mr. Green moved that the Finance Committee recommend this to Town Meeting. Mr. Manugian seconded the motion. Roll Call: Whitefield-aye; Doody-aye; Linskey-aye; Prest-aye; Green-aye; Robertson-aye; Manugian-aye

The Select Board recommended to support this –with Pine, Manugian, Reilly and Giger in support and Degen not in support.

4. Mr. Haddad presented Article 11 – Extend Groton Center Sewer District – The Sewer Commission conducted a public hearing on this request and voted to recommend this Article to Town Meeting. The Select Board had originally deferred their position until such time as the Sewer Commission took a position. Degen-support; Pine-support; Manugian-at Town Meeting; Giger-support; Reilly-support
5. Mr. Haddad presented Article 12 – Grant Easement for Sewer Connection – 227 Boston Road – The Select Board had made no recommendation on this Article. He said he was still waiting for an appraisal from the proponent of the Article.

Mr. Lindemer said he spoke to the appraiser that afternoon and the appraisal should be completed by this weekend. The Board and Finance Committee remained where they were. Mr. Giger said he supported the easement.

6. Mr. Haddad presented Article 15 – Amend Zoning Bylaw – Clarifications – The Planning Board held the public hearing on this Article last Thursday. They had voted unanimously to recommend the Article. The Board unanimously supported this article.

Mr. Degen said he was in favor of the CPA application for pickleball courts. Mr. Giger also supported this article.

Mr. Degen said he would defer to Town Meeting on the golf carts.

Mr. Haddad asked the Board to vote to issue the warrant for Town Meeting.

Mr. Degen moved to authorize the Town Manager and his Assistant to issue the warrant for Town Meeting. Ms. Pine seconded the motion. Roll Call: Pine-aye; Degen-aye; Manugian-aye; Reilly-aye; Giger-aye

7. Mr. Haddad said that it was still unknown how much money was coming to Groton from the federal government as part of the latest stimulus package. He said that because there was no county government, more money was being dispersed to local towns and cities. He said that the estimates at this time were \$3.3M. He said that there were no criteria provided for use of this potential money. He said that the Schools would be looking for about \$700k from the Town again this time.
8. Mr. Haddad said they received the preliminary study on the sportsman club adding the contamination was substantial. He said that they were exploring their options and more information. He said he would provide the Board with an update as soon as he had one.

Mr. Robertson adjourned the Finance Committee meeting at 8:52pm.

9. Mr. Haddad said that The Centers for Disease Control and the Commonwealth of Massachusetts had revised their COVID-19 protocols with regard to travel. He said that based on this, he and the Fire Chief had revised their Infectious Disease Policy by amending the vaccination section to read as follows:

Employees that have received their full dosing of a COVID-19 vaccine shall be able to return to work immediately upon return from any travel. They will be required to self-monitor for a period of ten (10) days.

If you travel to any foreign country or restricted state and you are not fully vaccinated...

Mr. Haddad respectfully requested that the Board vote to adopt the amended policy.

Mr. Degen moved that they adopt the policy as amended. Ms. Pine seconded the motion. Roll Call: Pine-aye; Degen-aye; Manugian-aye; Reilly-aye; Giger-aye

10. Mr. Haddad said that Groton remained a yellow community and were trending higher for the 4th week. He said that they would still keep the Town Hall closed.

11. *Ms. Pine moved to issue the proposed RFP for Town Counsel services. Mr. Degen seconded the motion.*

Mr. Degen suggested the term be a one-year term for up to 2 one-year renewals. Mr. Haddad said that this was the way in which they handled switching to Brooks and DeRensis a few years ago. He said his only concern was people may not come forward if it was a year-to-year contract. Ms. Manugian said that they had the right to separate. She said that a longer time period in play, everyone had to put more effort forward and more consistency. Ms. Pine said that if they could opt out, she was okay with a three year.

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

12. Mr. Haddad said that the Board at their March 29th Meeting, Treasurer-in-Training Hannah Moller requested that the Board consider adopting M.G.L., c.59, §5N, which provided for a reduction of property tax obligation of Veterans in exchange for volunteer service. He said that this program is similar to the Senior Work-off Program that they currently offered. He respectfully requested that the Board vote to adopt this law and set the maximum property tax reduction at \$1,500 based on minimum wage.

Mr. Reilly moved to adopt MGL c.59 section 5N ad described. Ms. Pine seconded the motion. Roll Call: Pine-aye; Degen-aye; Manugian-aye; Reilly-aye; Giger-aye

13. Mr. Haddad said that at their meeting on March 29th, the Select Board rightly questioned how the recent “Opt-Out” of the State Reclamation and Mosquito Control Board would impact the Town. He said he mistakenly believed that this did not impact Groton, as they were not part of any mosquito control project. Mr. Haddad said that at the request of the Select Board, he reached out to Town Counsel and asked for his opinion on how this would impact Groton. The “Opt-Out” was from the State spraying the Town of Groton should the State Department of Public Health determine there is an elevated risk of arbovirus such as Eastern Equine Encephalitis (EEE) for that year.

Mr. Haddad said that the Select Board would have to vote, after receiving input from the Board of Health, on whether or not they wish to “Opt-Out”. Should the Board vote to “Opt-Out”, they would have to supply the State with an alternative plan to deal with mosquitos that would have to be approved by the State. Mr. Haddad said he had reached out to the Board of Health and they provided the following recommendation to the Board:

“The Board of Health voted unanimously to advise the Select Board that the Board of Health would strongly recommend opting out of the State Reclamation and Mosquito Control Board. At the same time the Board of Health also recognizes that the level of effort in choosing to opt out is uncertain and would ask that if determined impractical for this current period then the Board of Health would strongly recommend applying ourselves towards this same goal for next year. The Board of Health fully appreciates that the MA Department of Public Health would commend spraying in the event of an emergency. Ira Grossman will work with other departments to complete next steps required should the Select Board vote to opt out. The Board of Health understands that the Select Board makes the final decision with regard to whether or not to opt out.”

Mr. Haddad said that while he appreciated the Board of Health’s position, they did not have the manpower, equipment or budget to implement an alternative plan. He said that the only way to do this would be to join the Central Mass Mosquito Control Project, which would cost them over \$78,000 a year and they would spray for mosquitos annually. Mr. Haddad said that given their budget situation, he could not recommend taking this on when the state would spray only if there was an elevated risk of EEE or West Nile Virus and recommend that the Town not opt out of the State Reclamation and Mosquito Control Board.

Ms. Pine said there were concerned people out there about having their properties sprayed. She said that people could fill out a form with the State to not have their property sprayed. Ms. Pine suggested asking the Board of Health to take a lead on developing a plan that would be cost effective over the next year. Mr. Degen said he agreed with this decision after hearing the explanation. The Board agreed to not opt out.

14. Mr. Haddad said he needed the Select Board to meet next Tuesday at 10am with the Planning Board to fill a vacancy. Mr. Haddad said that they wanted to have a full Board as they began the Hayes Wood subdivision. Ms. Pine said she was available. Mr. Giger was available. Mr. Degen was available. Mr. Reilly and Ms. Manugian were available also.

OTHER BUSINESS

Mr. Degen said it was his understanding that the forum with Representative Harrington had not been able to be coordinated at this time. He said that they needed to understand what was going on at the State level and have their questions and concerns answered. Ms. Manugian said that Senator Kennedy was eager to set this date and that she had not heard back from Representative Harrington after numerous attempts.

MINUTES

Mr. Degen moved to approve the meeting minutes of March 29, 2021 as presented. Ms. Pine seconded the motion. Roll Call: Degen-aye; Pine-aye; Giger-aye; Reilly-aye; Manugian-aye

Ms. Manugian adjourned the meeting at 9:16pm and asked for a motion to enter Executive Session Pursuant to M.G.L., c. 30A, §21(a), Clause 3 – “To Discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and chair so declares.” – PURPOSE – ABCC Appeal by Kent Ventures and with no intent to return to Open Session. Ms. Pine made the motion. Ms. Manugian seconded the motion. Roll Call: Pine-aye; Degen-aye; Manugian-aye; Reilly-aye; Giger-aye

Approved: _____
Rebecca H. Pine, Clerk

_____ respectfully submitted:
Dawn Dunbar, Executive Assistant

Date Approved: 4/26/2021