

**SELECT BOARD MEETING MINUTES
MONDAY, AUGUST 9, 2021
APPROVED**

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

Also Present: Mark W. Haddad, Town Manager; Dawn Dunbar, Executive Assistant; Hannah Moller, Tax Collector/Treasurer, Mike Hartnett, Assistant Tax Collector/Treasurer; Tom Delaney, DPW Director; Melisa Doig, HR Director; Megan Foster, Principal Assessor; Ravilla Garthe, Assistant Assessor; Michelle Collette, Earth Removal Inspector; Mike Bouchard, Town Clerk; Bud Robertson

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

ANNOUNCEMENTS

Mr. Cunningham said he attended a pinning ceremony that evening at the Fire Department for 5 new call firefighters/EMT's and the promotion of 2 new Lieutenants.

TOWN MANAGER'S REPORT

1. Mr. Haddad said he was pleased to report that they had gone out to Bond on the \$8,000,000 Florence Roche Elementary School Construction Project First Phase. He said that they received four (4) bids with the low bid being from Robert W. Baird & Co. as follows:

Bond Awarded: \$8,000,000.00

TIC: 1.67%

Premium: \$811,312.40

Net Interest Cost: \$1,620,375.93

He said that the bonding company was essentially paying the Town a substantial premium, which would not only cover the bonding costs, but will enable them to borrow only \$7,330,000, saving the taxpayers a substantial amount of interest. He said that this was a testament to the Town's outstanding financial status and their AAA Bond Rating. He said that the Board needed to approve this at Monday's meeting. Mr. Haddad said that he provided the Board with the vote they needed to take that evening to award the sale to Baird & Co. Mr. Haddad said he was very pleased with the outcome. Mr. Haddad said this would be a 6-cent increase on the tax rate.

Ms. Manugian moved to approve the sale of the \$7,330,000 general obligation bond and award the bond to Robert W. Baird & Co as indicated in the full motion contained within the meeting packet. Mr. Degen seconded the motion. The motion carried unanimously.

2. *Mr. Degen moved to make the appointment of Harris McWade and Adam Burnett to the Trails Committee, terms to expire June 30, 2022. Ms. Manugian seconded the motion. The motion carried unanimously.*

7:15PM – STORMWATER UTILITY USER FEE PUBLIC HEARING

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

Mr. Cunningham moved to open the public hearing. Mr. Reilly seconded the motion. The motion carried unanimously.

Mr. Haddad said that the budget for FY22 was an increase over FY21 adding that the FY21 budget only included a 6-month salary for the employee and included a piece of equipment. Mr. Haddad said that there were 4,004 improved lots within the Town which was less than the improved lot count that was provided last year. He said that the previous Assessor had provided an incorrect parcel number adding this year was less. He apologized for not asking that this number be double checked last year. He said that the fee was going to be going up from \$42 to \$52 this year because of the incorrect parcel count and because of the budget full year employee salary.

Mr. Degen said he appreciated Ms. Foster going through the list again and for Mr. Haddad's me a culpa. Mr. Degen proposed that they keep the amount at \$42 and reduce the capital outlay by bonding it. Mr. Haddad said it was a 5-year lease payment approved already. Mr. Delaney said that they were able to reduce the compliance cost because they were getting caught up on their paperwork and programs they were required to put in place. Ms. Pine asked if the employee was working

fulltime on stormwater. Mr. Delaney said that the employee was very busy and was working fulltime on this. Ms. Manugian said she too was troubled like Mr. Degen was but did think it should be a flat fee adding the larger parcels had filtration systems in place and were not contributing to the Town's system anymore than a homeowner was. Mr. Cunningham asked if a tiered approach could be implemented. Mr. Haddad said that communities that had a tiered system were moving back to a flat fee from what they learned. Ms. Pine said she would vote for this but thought they should include an explanation in the bill.

Ms. Manugian moved to close the public hearing. Mr. Cunningham seconded the motion. The motion carried unanimously.

Ms. Manugian moved to set the stormwater utility user fee at \$52 for improved parcels for Fiscal Year 2022. Mr. Cunningham seconded the motion. The motion carried 4-1 with Mr. Degen opposed.

7:30PM – FRIENDS OF PRESCOTT - LANDSCAPE PLAN FOR PRESCOTT SCHOOL

Steve Lane and Mary Jennings were present for the meeting.

Ms. Jennings started with a brief synopsis of their last year. She said they met with the Oversight Committee last week and ended the year with a small profit even though it was a COVID year. She said that their next year was a challenging year adding they were adding more staff, and were taking over the upkeep of the grounds.

Mr. Lane said that they had an ambitious plan for the front of Prescott to make it more like a small-town park. He said that they were going to install a sign to include space for all tenants to advertise their business which had been approved by the HDC. He said that they were also going to install a Visitor Center sign which also was approved by the HDC. Mr. Lane reviewed their landscape plan for the front of the Prescott School.

Mr. Haddad asked what the estimated cost of the walkways would be. Mr. Lane said it would be about \$16K in labor and \$4K in materials. Mr. Delaney said that the concrete estimate was low, in his opinion. Mr. Haddad said if they Board was willing to participate in this, he would like to get an actual cost adding that would be an expense to the Town. Mr. Cunningham said he thought the plan looked a bit busy. Ms. Pine said she thought feedback was the first step in this that evening. Ms. Manugian said that she thought this looked great but that until they had a plan for the property, she wouldn't support this. Mr. Degen said that based on his calculations, he thought they were looking at 45 yards of concrete.

Mr. Haddad suggested the Board take this under advisement until such time as the cost to the Town could be determined.

TOWN MANAGER'S REPORT - Cont.

3. Mr. Haddad said that he had the privilege to work with the Town Clerk since he had been in Groton. Mr. Haddad said that Mr. Bouchard was the best Town Clerk he had ever worked with. He said that Mr. Bouchard was ready to retire. He said that the Town had a unique opportunity to look at this position. He said that the job had changed as far as the technical responsibilities such as changes in laws, elections and records retention. Mr. Haddad said that it was important to be able to vet candidates for the next Town Clerk and didn't think an election process allowed the Town to do that like making it appointed would. Mr. Haddad reviewed the history of elected Groton Town Clerks over the last 93 years. Mr. Haddad said that he had Melisa Doig do a survey on the Town Clerk position in the Commonwealth. He said she was able to receive information from 116 towns. He said that of the 116 towns, 47 were appointed Town Clerks and 69 were elected adding that of those, a few were moving to an appointed Town Clerk shortly.

Mr. Haddad said he received an opinion from Town Counsel. He said that they would need to approve a Special Act because they could undo an election. He said that Mr. Bouchard would become the first appointed Town Clerk and the special act would automatically amend the Charter.

Mr. Haddad said that should this be approved, there were 3 ways in which they would be appointed. He said that the Board could be the appointing authority, that the Town Manager could be the appointing authority or that he could bring two names forward like he does with the Police and Fire Chief. Mr. Haddad said he was recommending that the Town Manager be the appointing authority based on what they had found out adding that a majority of the other towns had the Town Manager as the appointing authority.

Mr. Bouchard said he too shared the concern over the complexity of the duties of the Clerk and how it had evolved over the years. He said it was a different environment today. He said it was a department head like others and felt it was a very important position.

Ms. Manugian asked what Mr. Haddad was looking for that night. Mr. Haddad said he was looking for approval to submit a warrant article. He said that the appointing authority didn't need to be determined that evening. Ms. Manugian said she was leaning toward it being an appointed position but was in favor of bringing this to Town Meeting. She said she was mostly in favor of the Town Manager bringing two candidates forward. Mr. Reilly said he was in favor of making this appointed. He said it was a professional, technical job and should not be left to an election. He said he too was leaning toward the Town Manager bringing two candidates forward. Mr. Cunningham said that he also agreed that it should be appointed and supported putting this on the warrant. Mr. Degen said that after watching Mr. Bouchard do his job competently and as efficiently as could be done given various situations, he also thought this should be an appointed position. He said he also was leaning toward the Town Manager bringing two candidates forward. Ms. Pine said she was in favor of this becoming an appointed position and was absolutely in support of the Town Manager bringing two candidates forward.

SELECT BOARD ITEMS FOR CONSIDERATION

1. Mr. Haddad said that Select Board Member Cunningham had drafted a Warrant Article that would authorize the Sale of Marijuana in the Town of Groton. He said that he had provided the Board with a draft of the Article, along with a timeline of the history of this issue in Groton that was prepared by Ms. Dunbar.

Mr. Cunningham said he thought it was time to revisit this topic adding people at Town Meeting wanted to see how things were going to evolve since marijuana was legalized. He said there was a significant amount of potential revenue they could receive should they allow the sale of marijuana. Ms. Pine asked if there was the potential for a host agreement. Mr. Haddad said that it was allowed adding that was set by state statute. Mr. Cunningham said it could be negotiated. Mr. Degen asked if they had the ability to limit the licenses. Mr. Haddad said they limited it to one license adding it was based on a formula having to do with the number of package store licenses the Town was granted. A question was asked about whether or not the Select Board could sponsor this. Mr. Degen said it would be helpful to get user agreement from Ayer and Tyngsboro to see what fees their receive were. Ms. Manugian said she was in favor of adding this to the warrant.

2. Ms. Pine asked Mr. Haddad to put a placeholder on the warrant for the Town Seal discussion. Mr. Degen said he supported this but thought this might be moving too quickly.
3. Mr. Degen asked for a placeholder be put on the Fall warrant to provide \$1,000 per resident of Redskin Trail to aid in the cost and burden of changing the street name should that be approved. Ms. Manugian said she didn't think there were costs associated with this. Mr. Haddad said that the costs according to Town Counsel were minimal. Mr. Degen said that there was time associated with changing their documents, accounts, etc. It was decided to withdraw the request because of available funding in a gift fund.
4. Mr. Haddad said that the Diversity Task Force had requested that the Board appoint Gordon Candow (ADA Rep) and Bhaskar Gupta Karpurapu (Sai Baba Temple) to the Task Force.

Mr. Degen made the motion to appoint Gordon Candow (ADA Rep) and Bhaskar Gupta Karpurapu (Sai Baba Temple) to the Task Force. Mr. Cunningham seconded the motion. The motion carried unanimously.

5. Mr. Haddad said that the Sargisson Beach Committee had requested that the Board appoint Andrew Davis to the Committee. He respectfully requested that the Board make this appointment.

Ms. Manugian made a motion to appoint Andrew Davis to Sargisson Beach Committee. Mr. Cunningham seconded the motion. The motion carried unanimously.

Mr. Reilly said he would be the Select Board rep to the Sargisson Beach Committee.

Mr. Degen made the motion to appoint John Reilly to the Sargisson Beach Committee. Ms. Manugian seconded the motion. The motion carried 4-0-1 with Mr. Reilly abstaining.

6. Mr. Haddad said that the Housing Partnership has requested that the Board appoint Richard Perini and Anna Eliot to the Partnership and respectfully requested that they make those appointments.

Mr. Degen made the motion to appoint Richard Perini and Anna Eliot to the Housing Partnership. Ms. Pine seconded the motion. The motion carried unanimously.

7. Mr. Haddad said that they received a one-day beer and wine license request from Mary Timmons and Christopher Frechette for a Rehearsal Dinner to be held at First Parish Church on Friday, September 3, 2021 from 7:00pm-10:00pm and asked the Board to consider approving the request.

Mr. Cunningham moved to approve the request for a one day beer and wine license as requested. Mr. Reilly seconded the motion. The motion carried unanimously.

OTHER BUSINESS

1. Mr. Haddad said it was time for the Board to finalize the review of the Town Manager. Ms. Pine said that per their policy, only 4 members participated in their review. She said that the overall rating was an outstanding with a total score out of 560 out of 624 possible points. She said there was general consistency among the 4 members. She said there were 39 rating categories and the members were in agreement on most categories.

Mr. Haddad thanked the Board for their reviews and enjoyed sitting down with the members. He said he was only as good as the organization and was grateful to work with the best department heads and employees in the State. Mr. Haddad said that according to his contract, it said he was due a one-time cash payment of 3%. He proposed a one-time cash payment of 1.5% adding he had taken a zero like all employees had. He said he would also like to be added to the 2% that the Board voted to give all employees in December as a one-time cash bonus.

Mr. Degen said that he thought this proposal was very fair and thanked Mr. Haddad for the fairness. Mr. Cunningham said that the organization ran well due to the manager and thought this made sense. Ms. Pine said that the employees functioned very well and was a true testament to the Manager.

Mr. Degen moved that the accept the compilation workbook for the Town Manager's evaluation and accept the Town Manager's proposal of 1.5% retroactive to July 1, 2021 and a 2% payment in December 2021 using Covid money provided by the State.

Mr. Degen withdrew his motion.

Mr. Degen moved that the accept the compilation workbook for the Town Manager's evaluation and accept the Town Manager's review for the period ending June 30, 2021. Mr. Reilly seconded the motion. The motion carried 4-0-1 with Mr. Cunningham abstaining.

Mr. Degen moved that the Town Manager receive a 1.5% one-time bonus retroactive to July 1, 2021 and a 2% payment the first pay period of December 2021 using Covid stimulus money provided by the State. Ms. Manugian seconded the motion. The motion carried unanimously.

2. Mr. Haddad said he was troubled that there were people out there that people aren't vaccinated. He said he wanted to see the Board require that employees be vaccinated. He said he would ask for an exemption for employees with medical reasons but that single exemption only. Ms. Pine said she was in favor of doing this but said they didn't publicize this on their agenda. Mr. Haddad said that it was the same subject matter as a mask mandate in public buildings. Mr. Cunningham asked what the legal aspect was. Mr. Haddad said that communities and organizations had made it mandatory but was ready to fight this in court if they had to. Mr. Haddad said that employees should have to get their first shot by the end of August. Ms. Pine mentioned waiting until FDA final approval.

Mr. Haddad said his proposal on masks would be to require that masks be worn in Town buildings in all public spaces. Mr. Degen said he was sick and tired of this pandemic and was a believer in science. He said that due to the variant spikes, he thought it was incumbent upon them to protect the public. He thought that in meetings, within public buildings, etc. people needed to wear masks. Ms. Manugian said that two employees in a space together should also be masked.

Ms. Pine said that the Board of Health had recommended unanimously that all employees be vaccinated. Ms. Collette said that the Board of Health said that the schools should follow the most stringent guidelines when it come to wearing masks whether vaccinated or not and had solicited Town Counsels comments on that recommendation. Ms. Collette said that the Delta Variant was more contagious and that children were more at risk this time. Ms. Pine said she was in favor of masks being worn in all public buildings. Ms. Manugian said she was fully in support of requiring vaccines but was hesitant to require masks in all public buildings. Mr. Cunningham said he thought it be all public buildings they had jurisdiction over. Mr. Cunningham said he didn't have a lot of discomfort with employees sitting at their desks without being masked.

Mr. Cunningham moved that they require masking in all buildings under control of the Select Board not including the school district buildings starting August 16th. Mr. Degen seconded the motion.

Mr. Reilly said that they should include interaction with the public or when a 6ft distance cannot be met.

Mr. Haddad recommend the Board require mandatory wearing of masks including, the public and when employees interacted with the public, with the exception of when employees were alone in their private office. Mr. Haddad said that police officers were alone in their vehicles adding that was considered their offices. Mr. Degen said that should include the DPW, Water Department employees, etc., adding the minute they were not alone, they should be wearing a mask.

Mr. Cunningham moved that the Select Board require the wearing of masks by the public, employees and appointed and elected officials in public buildings and vehicles owned and under the control of the Town except the GDRSD buildings with exception to employees in offices by themselves and employees in town owned vehicle by themselves until such time as rescinded by the Select Board. Ms. Manugian seconded the motion. The motion carried unanimously.

Mr. Haddad asked the Board to mandate that all paid employees of the Town be vaccinated with their first vaccination by August 31, 2021 unless a doctor's note is provided noting an exemption for medical reasons only and that proof of vaccination be shown to the HR Director before August 31, 2021.

Mr. Cunningham made the motion as suggested by the Town Manager. Ms. Manugian seconded the motion.

Mr. Degen said that until the FDA approved this as non-experimental, he had an issue mandating this. Mr. Haddad said that they were not the first Town to mandate this. Ms. Collette said that Brookline had and Salem was discussing this the following night. Ms. Pine said she thought this was the right thing to do.

The motion carried 3-2 with Mr. Reilly and Mr. Degen in opposition.

MINUTES

Mr. Degen moved to approve minutes of regularly scheduled meeting of July 26, 2021. Mr. Cunningham seconded the motion. Roll Call: Manugian-aye; Degen-aye; Cunningham-aye; Reilly-aye; Pine-aye

Ms. Manugian adjourned the meeting at 9:26pm.

Approved: _____
Peter S. Cunningham, Clerk

_____ respectfully submitted:
Dawn Dunbar, Executive Assistant

Date Approved: 8/23/21