

**SELECT BOARD MEETING MINUTES  
VIRTUAL MEETING  
MONDAY, SEPTEMBER 13, 2021  
APPROVED**

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

**Also Present:** Mark W. Haddad, Town Manager; Dawn Dunbar, Executive Assistant; Melisa Doig, HR Director; Patricia Dufresne, Town Accountant; Finance Committee Members Gary Green, Scott Whitefield, Mary Linskey, Art Prest, Bud Robertson; Fire Chief Steele McCurdy; Megan Foster, Principal Assessor; Bruce Easom, CPC; Michelle Collette and Raquel Majeski, Diversity Task Force; Michael Bouchard, Town Clerk; Don Black, Housing Authority; Takashi Tada, Land Use Director/Town Planner; Tom Delaney, DPW Director

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

**ANNOUNCEMENTS**

Mr. Haddad said that Arbor Day was being held on Saturday, September 18<sup>th</sup> at 1pm at the NRWA. He asked the Select Board to designate a member to deliver the proclamation and read it at the event. Mr. Cunningham volunteered.

Ms. Pine said that the Affordable Housing Trust was meeting on Thursday via zoom and invited the public to attend to hear a presentation from B'nai B'rith Housing on affordable housing development.

The Finance Committee called their meeting to order.

**TOWN MANAGER'S REPORT**

1. Mr. Haddad said that he provided the Select Board and Finance Committee with a memo outlining the 2021 Fall Town Meeting expenditures. He said that if everything were to pass at the Fall Town Meeting, the only increase to the tax payers would be 6 cents on the average tax bill, to fund the first interest payment on the \$8M bonded so far for the construction of the Florence Roche project. Mr. Haddad reviewed the financial items and said that there would be about \$500,000 left in free cash should everything pass. He said he was anticipating a tax rate of \$18.15.

**2021 FALL TOWN MEETING WARRANT PUBLIC HEARING**

Mr. Haddad read the public hearing notice into record.

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

Article 1 - Mr. Haddad said that there were no unpaid bills at this time.

Article 2 – Mr. Haddad said that they had been reviewing the various budgets for any potential additions/reductions. He said he was requesting the following adjustments at this time:

1. Board of Assessors Salaries – Mr. Haddad said that they had inadvertently left of the 1.5% one-time cash payment for the Principal Assistant Assessor. This will require a Free Cash Transfer of \$1,200.
2. Treasurer/Tax Collector Salaries and Wages – He said that when they promoted Hannah Moller to Treasurer-Collector and Mike Hartnett became the Assistant Treasurer-Collector, they put Mike Hartnett's pay under wages, but they were paying him a weekly salary. He said they needed to transfer the funds from the Wage Account to the Salary Account (\$43,818). Mr. Haddad said that they had also agreed to let Mr. Hartnett carry over his accrued vacation to Fiscal Year 2022 so they did not have to pay it out all at once and inadvertently left off the 1.5% one-time cash payment to the Treasurer- Collector. Mr. Haddad said that since all of these were one-time payments, they would need to transfer \$9,320 (\$8,045 for Hartnett and \$1,275 for Moller) from Free Cash to cover these costs. He said that there was a also a calculation error in the Assistant to the Treasurer/Payroll Clerk's Wage Account adding they would need to raise \$352 from taxation for this.

3. Zoning Board of Appeals Wages/Park Commission Wages – Mr. Haddad said that when Margot Hammer retired, they transferred her duties to the Land Use Administrative Assistant and hired a 15 hour per week Park Commission Clerk. He said that they would need to transfer the Wage Appropriation from the ZBA Wage Account to the Park Commission Wage Account (\$21,017).
4. Highway Department Wages – Mr. Haddad said that the Select Board had voted to authorize filling the vacancy within the Highway Department. He said that funding for this position would come from Coronavirus Recovery Relief Funds (\$70,000).
5. Veteran's Service Officer Wages – Mr. Haddad said that due to an overlap of Veteran's Agents (he had asked the current VSO to work for two weeks with the new VSO), they would need an appropriation from Free Cash of \$200.
6. Library Wages – Mr. Haddad said that as voted by the Select Board (subject to approval by the Finance Committee), they had restored the \$55,000 cut from the Library Wage Budget to restore Sunday Hours and the Summer Reading Program. He said that this would allow them to maintain funding levels required by the State to maintain Certification. Mr. Haddad said that this funding would come from taxation.
7. Health Insurance – Mr. Haddad said that due to changes during Open Enrollment and Qualifying Events, they would need an additional \$35,000 to cover those costs and \$20,000 for the restoration of the Highway Department Laborer (total increase of \$55,000). Mr. Haddad said that to fund this, \$35,000 would come from taxation and \$20,000 from the Coronavirus Funds.
8. Debt Service – Mr. Haddad said that based on the \$8 million bond issue approved for the Florence Roche Elementary School Project, the Town would have an interest payment of \$115,156 due in March, 2022. He said that this amount would be raised through taxation outside the levy limit as excluded debt.

Mr. Robertson summarized the \$191,000 being requested and how these items were needed.

Article 3 – Mr. Orcutt said that the Water Department would need to transfer \$150,000 out of their excess and deficiency fund to cover additional expenses in Fiscal Year 2022; \$95,000 was to cover wages and benefits for the new Water Department employee and for another employee who had worked out of class, \$30,000 was for their Manganese Line Item in the Budget for GELD to purchase and install new power poles and a transformer for the new treatment plant; and \$25,000 was for the Whitney Well #3 Building/Shed (Nashoba Tech was constructing the building and we were purchasing the materials and doing some minor sitework).

Ms. Pine asked about the employee working out of class. Mr. Orcutt said that an employee worked out of class during his absence to cover duties while he was out. Mr. Orcutt answered Ms. Pine's question of the third employee being a permanent position which has been proven to be desperately needed even though it was done earlier than planned originally.

Article 4 - Mr. Haddad said that the current balance in this fund was \$80,214. He said that the anticipated Capital Plan for Fiscal Year 2023 was approximately \$600,000. Mr. Haddad said that the Town's Financial Policies call for a balance in this Fund of 1.5% of the Operating Budget. He said that if all the transfers and appropriations were approved under Article 2 of this Warrant, the total Fiscal Year Operating Budget will be \$42,583,462. He said that this would require a Capital Stabilization Fund Balance of \$638,752. Mr. Haddad said that he was recommending that they transfer \$600,000 from Free Cash to add to this Fund.

Article 5 – Mr. Haddad said that the current balance in the Stabilization Fund was \$2,140,794. He said that their Financial Policies state that this Fund should have a balance of five (5%) percent of their Operating Budget \$42,583,295. Mr. Haddad said that this would require a balance of \$2,129,165. He said that they did not need to add to this fund this year but that they could discuss whether or not they want to increase the Fund in more detail at another time.

Article 6 – Mr. Haddad said that the current balance in the GDRSD Capital Stabilization Fund was \$18,136. He said that the FY 2023 Capital Plan for the District was \$553,411 and was therefore recommending that they transfer \$560,000 Free Cash to be added to this Fund.

Article 7 – Mr. Haddad said that the original proposed FY 2022 Capital Budget had called for the purchase of a new command vehicle for the Fire Department. He said that during last year’s Capital Budget cycle, due to the uncertainty of the budget, it was determined to put off this purchase until the Fall and revisit the potential funding for this purchase. Chief McCurdy said that this would move his vehicle down to the Deputy Chief, which would allow them to dispose of an older 2011 vehicle and purchase him a new command vehicle.

Article 8 – Ms. Foster said that they were currently operating on Vision 6.5 adding that a newer version, Vision 8 had been launched. She said that the support was harder to get and was no longer supported. She said that the upgrade was needed and that it was time upgrade.

Article 9 & 10 – Mr. Haddad said that these were CPC housekeeping items. There were no questions.

Mr. Haddad said that he met with the Moderator last week who agreed with using a consent agenda for the first 10 articles if the Select Board and Finance Committee agreed. Mr. Degen said he was concerned about a consent agenda when there was this much money being asked for. Ms. Pine said she was a little uneasy also adding it was much more efficient but could be seen as diminishing the vote. She said she was okay with it though. Mr. Cunningham said he was okay with a consent agenda. Mr. Haddad said that the explanation would be provided in the back of the warrant and the individual motions would be provided to the Town Meeting should someone request to hold them.

Article 11 – Mr. Orcutt said that this article was for the Construction of the new source well at the Whitney Pond Well Site (Whitney Pond #3). Mr. Orcutt said they didn’t have the official lab results yet but added that they anticipated the levels to be low.

Article 12 – Mr. Orcutt said that the Town signed a consent order with DEP for the upgrade of wells #1 and 2. He said that they were going to experience elevated costs due to COVID adding that if they delayed construction, the delays of 18 months they might experience would only be further delayed. He said the Commission voted to go ahead with this project adding the costs estimates were around \$10.8 million dollars when they originally anticipated \$8 million which was primarily due to COVID. He said that getting parts and labor were going to be a challenge and why they wanted to start now.

Article 13 – Mr. Haddad said that he brought this to the Board a little bit ago. He said that Mr. Bouchard was looking to retire and gave them a unique opportunity to move toward an appointed town clerk. He said that Town Counsel went through the Charter and cleaned up applicable sections and renumbered items where necessary. Mr. Haddad said that the only outstanding item was who the appointing authority was going to be, the Town Manager or the Select Board. He said that to bring two names forward to the Select Board, should the Board choose that appointing structure, he said that sometimes a second person was just being brought forward as window dressing if there is a clear candidate. He provided examples as to why this position was different from the Police and Fire Chief positions and more like other department heads. He said that it was his recommendation that the Town Manager be the appointing authority.

Mr. Bouchard said that the position had become more complicated since he started adding the Town should move to an appointed Town Clerk and be able to interview and choose a replacement. Mr. Cunningham said that one of the push backs he was hearing was about elections and the perception around elections. Mr. Bouchard said that running the elections required personal risk and must follow state law. Ms. Manugian said she felt strongly that it be appointed and also felt strongly that 2 names be brought forward to the Select Board. Mr. Degen said he heard Mr. Haddad’s points but thought this should be 2 people brought forward to the Select Board as the appointing authority. Mr. Reilly said he agreed having it appointed but also heard people who wanted to keep it elected. He said that he would like the Select Board have oversight over the appointment. Ms. Pine said she also agreed that the Select Board be the appointing authority and be on a three-year contract.

Mr. Green said that this should be an appointed position but would support having the Town Manager as the appointing authority. He said that it seemed odd to have elected positions oversee the Town Clerk. Ms. Pine said that there were positions that went both ways on that one. Mr. Cunningham said that he was okay with the Town Manager appointing the position subject to the Select Board ratifying the appointment. Ms. Pine said they had a process that worked well for Chiefs and should continue that way. Ms. Pine said that she wasn't comfortable just saying it was a department head and wanted to maintain some of the independence the position has had. Mr. Cunningham asked who the Town Clerk reported to. Ms. Pine said they would report to the Town Manager but have oversight by the Select Board. Mr. Haddad said that the statutes in which a fire chief and police chief could be dismissed was because of state law which would be different for the town clerk.

Article 14 and 15 – Mr. Haddad said that the Planning Board would hold a public hearing on September 23<sup>rd</sup> to discuss these further. He asked the Board to hold off until they heard from the Planning Board. Mr. Tada said that Article 14 was in response to changes at the State level to push for zoning to allow for affordable housing in MBTA communities. Mr. Degen said that his reading of this was not going to increase the required percentage of affordable housing. Mr. Haddad said it was going to match the percentage the Town set for inclusionary zoning which was at 15%. Mr. Degen suggested discussing increasing this to a 20% requirement. Ms. Pine said the Affordable Housing Trust had sent a letter suggesting the percentage be 25% and hoped there would be some way they would be sure there would be a robust amount of affordable housing to add to their subsidized inventory. Mr. Cunningham said he would agree waiting until the public hearing to have this discussion adding he didn't want them to set the barrier too high. Ms. Manugian said she struggled with what an MBTA community designation meant and what they would be potentially giving up. Mr. Haddad said he didn't want to lose any opportunities to apply for things like MassWorks grant opportunities. Ms. Manugian said she wanted to be thoughtful with how they were explaining this. There was a discussion about sending a letter to the Planning Board in advance of their public hearing and whether it should be a letter from the Board or from members individually.

Article 16 – Mr. Haddad said that this article would extend the Sewer district to one of the parcels that Deluxe owned that was not on sewer. Mr. Bouchard said that the developer would be invited to a Sewer meeting on September 29<sup>th</sup>.

Article 17 – Mr. Haddad said that the Planning Board would be holding a public hearing on October 7<sup>th</sup> to discuss minor clarifications to Chapter 218. Mr. Tada reviewed some of the minor clarifications.

Article 18 – Mr. Haddad said that this article would allow for the retail sale of marijuana. Ms. Pine said that the public hearing would be on September 23<sup>rd</sup> at 7:00pm. Ms. Manugian asked why not just have Planning Board special permit required for all types of business related to marijuana in GB and I.

Article 19 – Ms. Majeski said that the Diversity Task Force was recommending that the article on the Town Seal be moved to the Spring Town Meeting. Ms. Pine asked if there were any plans to do outreach. Mr. Cunningham said he didn't mean for his comments at the last meeting to offend people when he compared the Holy Bible to a book about pure evil and apologized for making that statement. He said that outreach on this was going to be important adding he appreciated the opportunity to apologize for his comments. He thanked Ms. Majeski for the way in which she led the Diversity Task Forces last meeting adding he didn't feel as exposed as he thought he was going to. Ms. Collette said that they wanted to hold forums where people could come and be heard and hear discussions on why they were recommending that the words Holy Bible be removed from the Town Seal. She said that some additional discussion was warranted from what they have found out. Ms. Pine said that she wanted to take responsibility for not responding to Mr. Cunningham's comments at the moment. She said that she hoped that the Select Board and Diversity Task Force could co-sponsor training on how to respond in the moment. Ms. Manugian said she would defer to the recommendation and was personally struggling adding she thought this should have changed a while ago. Mr. Reilly said he supported bringing this forward to the Town but was glad they were waiting until the spring. He said that a nasty email was received by the Board about him adding divineness was not the way to go about things. Mr. Degen said that the analogy by Mr. Cunningham was misplaced. He said that they needed to be sensitive to their fellow citizens.

Resident, Mr. Mark Presti read a statement into the record. Mr. Cunningham said that whatever process needed to happen needed to be done in a way that was safe and inclusive of people's feelings and points of view.

Mr. Green left the meeting at 8:53pm.

*Mr. Cunningham moved that they remove the Town Seal article from the Fall Town Meeting warrant. Ms. Manugian seconded the motion.*

Ms. Pine said she wanted to see this done soon but wanted to bring people together and avoid a harsh conflict and therefore supported removing this article.

*Mr. Cunningham amended his original motion and moved that they remove the Town Seal article from the Fall Town Meeting warrant with the intent to bring this back to the 2022 Spring Town Meeting. Ms. Manugian seconded the motion. Roll Call: Pine-aye; Manugian-aye Cunningham-aye; Degen-aye; Reilly-aye*

Article 20 – Mr. Don Black said that the intent of this citizens petition was to have land located on Nashua Road transferred to the Housing Authority. He said that the article had a 5-year time frame in which to research the property and investigate any potential contamination. Ms. Manugian asked what the advantage of bringing this forward as a citizen’s petition. Mr. Black said that if they were to take title first, they could investigate this parcel further. He said it was not their intent to do anything of this piecemeal except for when it came time to develop and build out this property. Mr. Black said there was no expense to the Town but instead to the Housing Authority to start the exploration of the property. Mr. Degen asked how many acres this was. Mr. Black said it was about 9 acres. Mr. Black said that there was a 5-year time period in which to come back to the Board for full conveyance. Ms. Manugian asked why not come forward with a proposed plan first. Mr. Degen asked what harm there was in allowing the Housing Authority to go this route.

Ms. Linskey and Mr. Whitehall left the meeting. The Finance Committee lost their quorum at 9:10pm.

Mr. Degen thanked Mr. Black for the 20<sup>th</sup> anniversary of 9/11 ceremony that was held on Saturday. He said it was a great memorial for the victims and the Hanson Family especially.

Mr. Haddad asked the Select Board to continue their hearing to 8pm next week. Mr. Haddad said he had received a few phone calls about the decision to move town meeting outside. He said that the Board made the right decision to move the meeting outdoors due to the Delta Variant. He said that the perception was that the Select Board moved it outdoors to suppress the vote. He said he wanted to make the meeting as comfortable as possible. He said that Ms. Dunbar had been researching the use of portable heaters at town meeting which would help a small area outside. Mr. Cunningham asked if they could wait until 2 weeks out to make a final decision.

*Mr. Degen moved to continue the public hearing to September 20, 2021 at 8pm. Mr. Cunningham seconded the motion. Roll Call: Pine-aye; Manugian-aye Cunningham-aye; Degen-aye; Reilly-aye*

**OTHER BUSINESS**

Mr. Haddad asked the Board to vote to allow all boards and committees, appointed and elected, to meet by Zoom if they so choose.

*Mr. Cunningham made that motion. Ms. Manugian seconded the motion.*

Ms. Manugian said that she was concerned about the back and forth and confusion that would cause.

*Roll Call: Pine-aye; Manugian-aye Cunningham-aye; Degen-aye; Reilly-aye*

**SELECT BOARD ITEMS FOR CONSIDERATION**

1. Mr. Haddad said that as they would recall, last month the Park Commission recommended that the unnamed Road between Martin's Pond Road and Hollis Street be named "Sawyer Way". He said that the Select Board asked that we do further research to make sure this section of the Road had not been named previously. He said that based on information received from the Groton History Center and Historical Commission, they were confident that this section had not been named. Mr. Haddad said that Section 258-5(B) of the Town Bylaws stated that "to prevent

*duplication of street names or the use of similar sounding street names, all street names used in Groton must be approved, in advance, by the Town Manager. The Town Manager will collaborate with the Fire Chief, the Building Commissioner, and the E-9-1-1 Database Liaison prior to approving a new street name. The Town Manager may solicit and consider, but need not use, street name suggestions from developers and residents." Based on this, unless the Select Board has an objection, it is my intention to name that Road "Sawyer Way". Mr. Haddad said that should this be approved by the Board; it would be the Park Commission's intent to present the name of this road at the Veterans Day ceremony.*

Ms. Pine said pointed out that the Sawyer family had many members serve in the military.

*Mr. Cunningham moved to affirm decision of Town Manager to name this road Sawyer Way. Ms. Manugian seconded the motion. Roll Call: Pine-aye; Manugian-aye; Cunningham-aye; Degen-aye; Reilly-aye*

Ms. Pine said that when the naming of Sawyer Way came forward, she thought they should invite anyone in the public to send names forward for anyone that would like a road, park, etc. named after. There was a brief discussion about the need for a list and a process.

**ON-GOING ISSUES**

C: Mr. Haddad said that the consultant hired to go to the Conservation Commission for the school project sent out notification to abutters and referenced the middle school and not the elementary school. He said he was upset about this adding the consultant would need to correct the record and send new letters.

**LIAISON REPORTS**

Mr. Cunningham said that the event held on Friday at the Senior Center to recognize first responders was a great event again this year. The Board thanked Ebi Masalehdan for cooking.

**MINUTES**

*Mr. Cunningham moved to approve minutes of regularly scheduled meeting of August 30, 2021. Ms. Manugian seconded the motion. Roll Call: Pine-aye; Manugian-aye; Degen-abstain; Reilly-aye; Cunningham-aye*

Ms. Pine adjourned the meeting at 9:33pm.

Approved: \_\_\_\_\_  
Peter S. Cunningham, Clerk

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

Date Approved: 09/20/2021