

**SELECT BOARD MEETING MINUTES
VIRTUAL MEETING
MONDAY, FEBRUARY 28, 2022
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 to the Town Manager; Hannah Moller, Tax Accountant; Takashi Tada, Land Use Director; Police Chief, Michael Luth; Melisa Doig, HR Director; Patricia Dufresne, Town Accountant; Megan Foster, Principal Assistant Assessor; Michael Bouchard, Town Clerk; Bud Robertson, Finance Committee Chair

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

ANNOUNCEMENTS

Ms. Pine said that they had a successful Bystander Training last Thursday and said everyone said it was very useful. She said that the next one would be held on Wednesday, March 16th.

Ms. Pine said that there were 2 jointly sponsored forums on the Town Seal coming up on Tuesday, March 8th at 2pm and Tuesday, March 29th at 7pm, both being held at the Center in West Groton.

Ms. Pine said that many people were inconvenienced by the recent closure of Broadmeadow Road. She said that they had appropriated money to dredge James Brook, and applied for a MassWorks grant which they were unsuccessful in receiving. She said that they had to go back to the original plan and were hopefully going to do the work this summer.

TOWN MANAGER'S REPORT

1. Mr. Haddad said that their Deputy Police Chief was reaching his mandatory retirement at the end of March. Mr. Haddad provided Deputy Chief Sheridan's police career background, thanked him for his many years of service to the Groton Police Department and the Town of Groton and wished him well as he entered this new chapter of his life. Mr. Haddad said that he had the pleasure of recommending for appointment, Sergeant Rachael Bielecki as the new Deputy Police Chief effective April 1, 2022. He provided Sergeant Bielecki's background and explained how this this was the third time he had been appointing her to a position within the Department. He asked the Select Board to consider ratifying his appointment.

Chief Luth said that he had great personnel to choose from adding this was probably the most important decision he would make during his tenure in Groton. He said he was very excited to have Sergeant Bielecki as the next Deputy Chief.

Mr. Degen moved that they affirm Town Managers appointment of Rachel Bielecki as Deputy Police Chief effective April 1, 2022. Ms. Manugian seconded the motion. Roll Call: Pine-aye; Manugian-aye; Reilly-aye; Cunningham-aye; Degen-aye

Mr. Haddad said that with the promotion of Sergeant Bielecki, they had a unique opportunity to appoint a Reserve Office to the Department. Mr. Haddad provided Mr. Robert Wayne's background and asked the Select Board to consider ratifying his appointment.

Ms. Manugian made the motion to ratify the Town Manager's appointment of Robert Wayne as a Patrolman. Mr. Degen second the motion. Roll Call: Pine-aye; Manugian-aye; Reilly-aye; Cunningham-aye; Degen-aye

Mr. Haddad said that he was pleased to appoint Dezerae Rodrigues as a Dispatcher in the Communication Department and asked the Select Board to consider ratifying his appointment.

Mr. Degen made the motion to ratify the Town Manager's appointment of Dezerai Rodrigues as a Dispatcher. Ms. Manugian seconded the motion. Roll Call: Pine-aye; Manugian-aye; Reilly-aye; Cunningham-aye; Degen-aye

UPDATE ON MBTA MULTI-FAMILY DISTRICT ZONING BYLAW

Mr. Takashi Tada said that new legislation had been enacted that applied to MBTA communities which Groton was one by means of it abutting commuter rail towns. He said that new requirements were placed on those communities to add multi family zoning of certain density, size, etc. He said that there was a time line for compliance that the Town needed to meet in order to be eligible for certain grants and explained those key milestones. He said that the first requirement had a May 2nd deadline which was to hold a briefing on the draft guidelines which they were doing that night. He reviewed the other major deadlines.

Mr. Tada said that the draft guidelines summarized what the law stated. He said that the draft guidelines also provided definitions found within the law. He said that the only definitions he wanted to cover were multi-family housing and multi-family district and provided the definitions for each of those. Mr. Tada said that reasonable size had been defined as not more than 50 contiguous acres of land. Mr. Tada said that the housing would be by right and not subject to special permit adding he thought the Planning Board might want to keep site plan review as allowed by current zoning. Mr. Tada summarized the capacity requirements as outlined by these draft guidelines. He added that the units could not be age restricted.

Mr. Haddad asked what an action plan would look like if they didn't have zoning in place as of December 31st and if the Planning Board had discussed that yet. Mr. Tada said that he thought it would need to include a timetable and how the Town planned to enact the zoning requirements but added that the Planning Board had not discussed that yet.

Ms. Pine said that there were 2 ways they needed to think about this. She said that the State was still collecting comments about this proposed zoning with a deadline of the end of March. She said they might want to think about sending comments. She said that the Planning Board was also working on creating the zoning they would conceivably bring to Town Meeting and may also want to provide the Planning Board with comments.

Ms. Manugian asked if Mr. Tada knew how Title 5 was being proposed. Mr. Tada said that these questions had been asked during forums adding they had a sewer district that would aid them in meeting these requirements and thought the Planning Board might propose that as part of their zoning.

Mr. Degen said that this was 50% more dense than 40B. Ms. Pine said she wasn't aware there was a density requirement for 40B. Mr. Degen asked if these 750 units was above and beyond the units as required by 40B. Mr. Tada said that this was unrelated to their 40B housing requirements adding there was no affordable component requirement. Mr. Degen said that this sounded like an unfunded mandate adding he wasn't against this adding the infrastructure cost to Towns was huge.

Ms. Pine said that 750 units of family housing with an average of 3-4 people per unit averaged 2,250-2,600 people. She said that 2,600 more people was a 23% increase in their population. She said that this would then mean they would need to build another 250 units of affordable housing to meet that requirement which further added to their population. She said that they would overwhelm their public safety departments, their schools and other infrastructure. She said that they needed to send comments to the State and urge them to look at the 750 unit requirements. She said that this number of units was not keeping within the character of their community which the guidelines stated they should do. She said that she would also be urging the Planning Board to require that 25% of these units be affordable to help them meet their housing numbers.

Ms. Manugian said that she had been on many of these calls wearing her Groton hat as well as her professional hat, adding many of these questions had been asked. She said that she had not seen any indication that these required unit numbers were going to change from the State. Ms. Pine said at this point she wasn't sure she could see this as a good thing for Groton. Mr. Degen suggested that the Board send comments to Mr. Haddad for compilation to discuss at their meeting the second or third week of March.

Mr. Haddad said he would like to send an application for technical assistance on behalf of the Town to the MRPC unless the Board had an issue with that. He said that the deadline was tomorrow. Mr. Tada explained that it was a technical assistance

grant and not a monetary grant. He said that for this round the MRPC would prioritize the applications for newly designated MBTA communities for those that wanted help with navigating this. He said that this was similar to the Housing Production Plan they utilized MPRC for. Mr. Degen said that he did not support this and utilizing tax payer dollars on this. Ms. Manugian said that they needed to understand what they needed to do.

Mr. Degen moved that they do not support the Town Manager seeking a technical assistance grant for this. There was no second.

Ms. Pine said she was in agreement conceptually with Mr. Degen but thought they should apply for technical assistance. Mr. Cunningham said he too agreed but thought this could help them dealing with potential impacts of this going forward as well as what other communities were dealing with also.

TOWN MANAGER'S REPORT – CONT

2. Mr. Haddad said he recommended that they open Town Hall to the public on Wednesday, March 2nd allowing him time to issue a press release. He said he also asked the Board to consider allowing that virtual meetings be extended through July 15th in accordance with State law adding he had received some requests for that. Mr. Haddad said that the number of cases had continued to decline which was good news. He also recommended that they remain remote for their meetings adding this would help the Cable Department with position vacancies.

Mr. Degen said he thought they should open Town Hall and go back to in person meetings. Mr. Cunningham agreed with Mr. Degen. Ms. Pine said she was in favor of opening Town Hall, allowing Boards to meet in person or virtually and was open to either virtual or in person meetings for their Board. Ms. Pine said that she thought they should require the public to wear masks in Town Hall and at their meetings. Ms. Manugian said she was with Mr. Degen and Mr. Cunningham and asked at what point Ms. Pine would think masks could come off. Mr. Haddad said that they had left masks up to the individuals and thought that was a good way to proceed. He said that he would like to follow the BOH's guidance.

Mr. Degen moved to reopen Town Hall on Wednesday, March 2nd. Ms. Manugian seconded the motion. Roll Call: Pine-aye; Manugian-aye; Reilly-aye; Cunningham-aye; Degen-aye

Mr. Haddad asked the Select Board to allow Boards and Committees to continue to meet virtually through July 15, 2022 subject to majority vote of each committee or board. Mr. Degen made that motion. Mr. Cunningham seconded the motion. Roll Call: Pine-aye; Manugian-aye; Reilly-aye; Cunningham-aye; Degen-aye

Mr. Haddad said that the Board would be back live next Monday night, March 7, 2022.

Mr. Degen moved that the Select Board resume in-person live meetings effective March 7, 2022. Mr. Reilly seconded the motion.

Ms. Manugian asked if they could hold off one more week adding she had a conflict.

Mr. Degen revised his motion and moved that the Select Board resume in-person live meetings effective March 14, 2022. Mr. Cunningham seconded the motion. Roll Call: Pine-aye; Manugian-aye; Reilly-aye; Cunningham-aye; Degen-aye

3. Mr. Haddad asked the Board to ratify his appointment of Michael Kalil as a Per Diem Van Driver.

Mr. Degen made a motion to ratify the Town Manager's appointment of Michael Kalil as a Per Diem Van Driver. Ms. Manugian seconded the motion. Roll Call: Pine-aye; Manugian-aye; Reilly-aye; Cunningham-aye; Degen-aye

4. Mr. Haddad reviewed the articles contained in the 2022 Spring Town Meeting Warrant. Mr. Haddad asked the Board if the fire truck should be included within the capital budget or a separate warrant article. It was preferred that

it be left as a separate warrant article. Mr. Bouchard explained why an additional voting machine was required and that he was trying to find out if the State will cover the cost because of the creation of the new voting precinct.

Mr. Cunningham asked if they should consider adding the Town Seal question to the ballot to potentially get a larger vote on this issue. Ms. Pine said that she was told that the initial town seal was voted on by Town Meeting and that a ballot vote was not required to change it.

Mr. Haddad said that a committee had studied electronic voting in 2014 and because it was so cost prohibitive, they decided to not recommend it. Mr. Haddad said that he, the Moderator, Town Clerk, IT Director and Ms. Dunbar had relooked at purchasing the handheld voting devices in 2019 which was found to be much more affordable. He said that Mr. Petropoulos was going to bring forward a citizen's petition to reexamine this. He said he reached out to Mr. Petropoulos and told him of the research they did in 2019 and said he would ask the Board to consider adding it to the warrant instead of it coming forward as a citizen's petition.

Mr. Degen said he was in favor of option 16A. Mr. Cunningham said he was in favor of 16A also and having a committee to study this but wasn't sure of the funding yet. Mr. Degen said that they needed to have a small committee to interview vendors to talk about things like cyber security and voting security. Ms. Pine said she was also in favor of 16A as was Mr. Reilly. Ms. Manugian said her biggest concern was the technology working and didn't support either one adding there was no need.

Mr. Haddad said that they received a citizen's petition relative to age restricted housing. Mr. Pine said she didn't understand this article. Mr. Haddad said that the Planning Board would be required to hold a public hearing on this because it had to do with zoning and could provide further information for the Select Board at the warrant public hearing.

Mr. Haddad said that they received a request for a non-binding resolution on fairness and that the proponents wanted to meet with the Board to discuss it. He asked if the Board would like to add this to the warrant. Mr. Cunningham asked if Town Counsel had weighed in on this. Mr. Haddad said that they originally wanted to submit wording for a home rule petition adding Town Counsel said it was a non-starter which led to the non-binding resolution. Mr. Degen said he thought this might lead to consternation. He said they shouldn't be opening up their town meeting to this. Ms. Pine was not in favor of adding this and neither was Ms. Manugian. Mr. Cunningham and Mr. Reilly agreed also that they understood the intent but was more complicated than they wanted to bring forward.

5. Mr. Haddad said that the School Committee was meeting tomorrow night to discuss multiple different budget scenarios.
6. Mr. Haddad reviewed the Board's schedule for the next few weeks.

SELECT BOARD ITEMS FOR CONSIDERATION

1. Mr. Haddad said that after a two-year hiatus due to COVID, the Nashoba Valley Chamber of Commerce was bringing back the Taste of Nashoba Event on Tuesday, March 22, 2022 to be held at Lawrence Academy from 5:30 p.m. to 8:00 p.m. He said that they were requesting a One Day All Alcohol License for the Event. Mr. Haddad respectfully requested that the Board consider approving this license.

Mr. Cunningham moved to approve the request for a one day all alcohol license to the Nashoba Valley Chamber of Commerce for Taste of Nashoba to be held on Tuesday, March 22, 2022. Ms. Manugian seconded the motion. Roll Call: Pine-aye; Manugian-aye; Reilly-aye; Cunningham-aye; Degen-recused himself

2. Mr. Haddad said that they needed to perform a review of the Nod Road landfill site and received a quote for \$4,200 to do this. He said that when the landfill was closed in the 70's, the capping was not a requirement of DEP. He said he wasn't sure where this would lead, but thought they needed to investigate this. He said he was going to try to find the money in the budget but could look for a reserve fund transfer.

MINUTES

Mr. Cunningham moved to approve the minutes of the regularly scheduled meeting on February 7, 2022 as corrected. Ms. Manugian seconded the motion. Roll Call: Manugian-aye; Cunningham-aye; Pine-aye; Degen-aye; Reilly-aye

Ms. Manugian moved to adjourn the meeting at 8:54pm and move into executive session with no intent to return to the open session. Mr. Reilly seconded the motion. Roll Call: Cunningham-Aye; Manugian- aye; Degen-aye; Pine- aye; Reilly-aye

Approved: _____
Peter S. Cunningham, Clerk

_____ respectfully submitted:
Dawn Dunbar, Executive Assistant to
the Town Manager

Date Approved: 3/7/2022