

**SELECT BOARD MEETING MINUTES
MONDAY, MARCH 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

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

ANNOUNCEMENTS

Mr. Haddad said that the State had adopted the Special Act for Town Clerk to be changed from Elected to Appointed thanks to Ms. Dunbar's efforts to get it moved as quickly as possible through the House and Senate. He said it was on the Governor's desk to be signed.

Mr. Haddad read an announcement from the Town Clerk. He said that the Town Election would be held on May 24th with polls open from 7AM to 8PM with voting to occur at The Center and Groton-Dunstable Middle School North. He said that Sub-precinct 3A will be in effect, starting with this election. Mr. Haddad said that the affected voters will be notified by mail in early April of their precinct change. He said that the Town ballot would have 2 ballot questions. He said that one question was a non-binding referendum seeking public opinion about modifying the Town Seal. Mr. Haddad said that the second question sought approval of an amendment to the Groton Town Charter to change the position of Town Clerk from elected to appointed.

He said that the Town had accepted MGL c53 §18B which provides for the publication of a voter information book about ballot questions. Mr. Haddad said that the book must contain "pro" and "con" arguments for each ballot question. He said that as of that night they were notifying the proponents and opponents of each question of the opportunity to submit a "pro" or "con" argument for the question. He said that arguments were limited to 150 words, and were to be submitted to the Town Clerk adding Town Counsel would review the final wording prior to the booklets being mailed out 10 days prior to the election. The public was asked to contact the Town Clerk at 978-448-1100 or townclerk@grotonma.gov for more specifics.

TOWN MANAGER'S REPORT

1. Mr. Haddad one of their goals of the Board for this year was to work with the various Non-Profits to determine if there was a way to increase PILOT Payments to the Town. Mr. Haddad said that he formed a Town Manager's Working Group made up of a member of the Select Board, a member of the Finance Committee, the Town Accountant, the Treasurer/Collector, the Principal Assessor and the Executive Assistant to review this issue in more detail. He said that one of their goals was to work with Groton Hill Music. He said that based on their meetings, they had reached out to them and began discussions on how Groton Hill Music could help the Town develop additional revenues. Mr. Haddad said he was extremely pleased and excited to announce that Groton Hill Music has agreed to the establishment of a Groton Community Fund. He said that through mutual cooperation between the parties, Groton Hill Music had agreed to establish a two (\$2.00) dollar fee, to be shown on tickets as the Groton Community Fund Fee. He said it would be added to the cost of each ticket and paid by concert-goers when they purchase tickets to professional performances presented at Groton Hill Music Center. Mr. Haddad read the attached press release into the record.

Ms. Lisa Fiorentino, Executive Director of Groton Hill Music, said that Groton Hill was excited to open in the Town and become a partner with the Town. She said that they would review this regularly and was happy to be working with the Town on this. Mr. Degen said that this had been an interesting exercise adding they had to look at ways in which to cover their increased shared costs, such as police and fire services. He said that they tried to work out a way that wouldn't cost the non-profits but instead the end user. Ms. Pine thanked Groton Hill adding this was the start of a great relationship. Ms. Pine thanked the Groton Hill Music Board members adding she looked forward to working with probably the largest non-profit in Groton.

2. Mr. Haddad said that he was pleased to report that they had reached a Tentative Agreements with IBPO, Local 522, Groton Communications Officers on a new three-year Agreement. He said that this was the subject of an Executive Session for review by the Board earlier. Mr. Haddad reviewed the terms of the tentative agreement. He said that the total cost of the agreement was \$52K over the three years of the contract. He respectfully requested that the Board consider ratifying the agreement.

Mr. Degen made a motion to ratify the contract as outlined by the Town Manager. Mr. Cunningham seconded the motion. The motion carried unanimously.

NASHOBA TECH SCHOOL COMMITTEE APPOINTMENTS

Ms. Marlana Gilbert called the School Committee to order at 7:15pm. Members LeBlanc, Gilbert, and Kubick were present. Mr. Kauppi called the meeting to order. He said that a committee comprised of the Groton Members of the School Committee, the Select Board and Moderator were meeting to appoint representatives to the Nashoba Valley Technical High School Committee with terms to run from April 1, 2022 through March 31, 2025.

Mr. Cunningham offered a nomination of Mr. Robert Flynn as representative. Ms. Manugian seconded the nomination. Mr. Flynn was appointed unanimously.

Mr. Degen nominated John Ellenberger as Alternate. Mr. Cunningham seconded the nomination. Mr. Ellenberger was appointed unanimously.

GROTON DUNSTABLE HIGH SCHOOL PFAS UPDATE

Mr. Haddad said that there were elevated levels of PFAS at the High School and why representatives of the Board of Health and Superintendent were present.

Dr. Chesson said that they were first informed in November 2021 by the State that they had an elevated level of PFAS. John Robichaud, the Building and Grounds Superintendent said that because of a new requirement in October, they were tested for the first time. He said that the levels were at approximately 3 times the levels they should be. He said that they received the same level reading in February. He said that it was substantially higher as a raw sample before going through their filtration system. He said that there was currently no water being consumed at the high school and were trying to work with an engineer adding that one was hard to come by right now because of the need for them. Mr. Orcutt said that without knowing what the houses (wells) in the area were testing at, it was hard to know where this issue might be stemming from. Mr. Haddad said that he wanted to point out that the Groton Water Department did not supply the high school with water adding the Groton wells were tested adding the levels of PFAS were non-detected. Dr. Chesson asked if the high school was known to be the source. Mr. Orcutt said that the collection showed a high number but that they needed more data points around the Reedy Meadow area.

Mr. Fleischer of the Board of Health said that they sent about 100 letters out to the abutters but had not received any positive test results yet. Ms. Collette said that the cost for testing was about \$400 adding they sent out letters to abutters within 300 feet of the high school. Ms. Collette said that they had received about 4 test results and all had shown non-detected levels of PFAS. Mr. Degen asked where the well was located on the high school site. Mr. Robichaud said it was out behind the football field at least 300 feet behind it. Mr. Degen asked what fertilizer had been used in the past. Mr. Robichaud said he would need to check on what was used prior to his employment. Mr. Degen said that he would like to know what was used and the frequency of what had been used especially if it was sledge based milorganite. Mr. Degen said that these were the forever chemicals and were bad for water supplies and wells. Ms. Pine said that was possibly one potential theory. Mr. Degen said he was not saying this was the issue but wanted to rule it out.

Mr. Robert Parkin a member of the Dunstable Board of Health said he was concerned. He said that Swallow Union had tested their water and was clear. He said that PFAS was the everlasting chemical and didn't break down. He said that so far, Dunstable had been clear. He said it was important that any well within so may feet of the high school be tested and those results available to anyone. Mr. Degen suggested a conversation with the Pepperell Water District to investigate a municipal

water connection. Mr. Orcutt said that the school district was working to procure an engineer and wanted to allow them time to hire an engineer and do their due diligence.

Mr. Haddad said that they would want receive updates and understand what the potential costs to Groton and Dunstable might be. Ms. Pine said she hoped there would be a high level of cooperation with sharing of the data but said that if that wasn't the case, that the Select Board be notified. Ms. Gilbert said that when they received the immediate requirements to mitigate with bottled water, they were not told to not irrigate their fields by DEP.

The Board of Health and School Committee adjourned their meetings at 7:48pm.

TOWN MANAGER'S REPORT – Cont.

3. Mr. Haddad said that with regard to the Fiscal Year 2023 Operating Budget, they would need to make changes to the Debt Service Budget with regard to the Excluded Debt for the Florence Roche Elementary School Project. He said that both the Select Board and Finance Committee had agreed to permanently borrow an additional \$20 million later this Spring/Summer. Mr. Haddad said that when he developed the proposed FY 2023 Operating Budget, he only carried an interest payment for this in FY 2023 and anticipated that the first Principal Payment on this new bond would not be due until Fiscal Year 2024. Mr. Haddad said that due to cash flow considerations, they needed to reevaluate this schedule and move up the bond so that the first Principal Payment would be due in April, 2023 (Fiscal Year 2023), instead of August 2023 (Fiscal Year 2024). Mr. Haddad said that this would allow them to begin collecting the additional tax revenue on the bond in January, 2023, instead of January, 2024. Mr. Haddad said that August, 2023 would see significant expenditures by the Town (first quarterly payment to the Groton Dunstable Regional School District, annual payment to the Middlesex County Retirement Board, and other Debt Service Payments, on top of normal bills) and adding a Principal Payment of almost \$1 million would put the Town in a position where it would most likely need a Tax Anticipation Note, at an additional cost to the taxpayers, in order to cover their bills. He said that moving this up would avoid that issue. Mr. Haddad said that making this payment next April, 2023 would require the Town to increase the FY 2023 Excluded Debt Budget by \$812,000. He said that this would increase the anticipated tax rate by \$0.38 and increase the anticipated average tax bill by \$203 (raising the overall anticipated increase in the average tax bill by \$621).

Mr. Degen said that they were going to phase this in a little slower but were now needing to start it a bit sooner than what they had planned. Mr. Haddad said that the Finance Committee would be meeting again to vote on the budget which would be adding this \$812,000.

4. Mr. Haddad said that he had been approached by the Destination Groton Committee with a request for funding in both Fiscal Years 2022 and 2023 to assist them in carrying out their Charge. He said that they were looking for \$15,000 in FY 2022 (which could be handled by a line-item transfer) and \$12,600 in FY 2023 (which could be added to the Town Manager's Budget). He said that he had discussed this with the Finance Committee and they had given their preliminary approval of these requests, subject to approval by the Select Board. Mr. Haddad said that the Committee had been working very hard over the last few months and needed some funding to help promote tourism and leverage toward potential grants they could hopefully apply for in early 2023. Mr. Haddad asked the Board for their support.

Ms. Manugian asked how they would leverage funds against grants adding she hadn't seen them budget for things like that before. Mr. Haddad said that they had gone to Town Meeting to request for things like this. Mr. Greg Sheldon said that there was a state grant called the Destination Capital Grant that would pay for infrastructure related to increases in tourism. He said that they needed to demonstrate \$15K in FY22 and FY23 toward tourism in order to qualify for funding next February/March and announce awards in June. Mr. Sheldon said that there were reasons to come to Groton such as trails and historic infrastructure that the grant would help them with. Ms. Manugian said that they also didn't know what kind of grant they would be applying for yet. Mr. Sheldon said that they did not because they were so early in their process. He said that they wanted to produce marketing material, a marketing video, etc. adding they were confident that they would spend \$15K prudently. Ms. Pine said that they had also talked about professional paid staff time when they set up the Committee originally.

Mr. Prest said that they needed to show their support to the Destination Groton Committee adding when he was on the Economic Development Committee, they didn't have anything to grasp their teeth on like this Committee did.

Mr. Robertson said that money being requested might or might not yield anything but added they all agreed to support this Committee. He said that the grant would be the icing on the cake adding they needed to put their stake in the ground now. Mr. Degen said that he fully supported the creation of the committee but wasn't sure about spending money without knowing what the measurement of return would be. He asked how the video and media blitz would create additional economic development. Mr. Sheldon said that the report published last September addressed those challenges and possibilities. Mr. Cunningham asked going forward what type of budget they would be looking at. Mr. Sheldon said that their report ultimately called for a full-time position to manage Groton's economic development as a destination community. Ms. Manugian said she wasn't opposed to this in the bigger picture but instead needed more information before approving this. Ms. Elliott said that the videos were going to attract commercial and housing growth. She said that their first area of concentration would be downtown and the empty spaces where growth could be seen. Mr. Sheldon said that the Committee was putting forward its best foot with these videos and its interviews of about 20 committees. He said that they were also going to produce vertical videos showing Groton's conservation, historical resources, etc. Mr. Degen said that it was a great idea but didn't like this being dropped on them. He said that they should have considered a grant from the CPC and done this as part of the overall budget purpose. Mr. Degen said he would not be averse to opening up the warrant and letting the voters weigh in on this. Mr. Haddad said that in fairness to the Committee, they were not set up until late December and started meeting a month and a half ago which was well after the proposed budget had been submitted.

Ms. Manugian said she couldn't approve funding requests for projects that were yet to be determined. Mr. Cunningham said that he was generally in support of this adding a piece of this was promoting the community. Ms. Pine said that the CPC process started in November adding this committee had not been formed yet. She said she wasn't sure slowing the committee down was in their best interest. Ms. Manugian said it wasn't the amount but what the funds were being used toward. Mr. Reilly said that they needed to invest in their own community before the state would invest in their community. He said he understood what had been said but was in favor of this. He said that they would get a benefit out of these videos.

Mr. Haddad asked the Board to make a motion to support spending of \$15K in FY22 and support the expenditure of \$12,600 in FY23 for Destination Groton Committee.

Mr. Cunningham moved that they approve the \$15,000 FY22 request for a line-item transfer for the Destination Groton Committee. Mr. Reilly seconded the motion. The motion carried 3-2 in favor with Ms. Manugian and Mr. Degen opposed.

5. Mr. Haddad said that with regard to the Proposed Fiscal Year 2023 Capital Budget, Tom Delaney had informed him that the two trucks (pick-up truck and intermediate truck) he had in the Capital Plan were in stock and could be reserved for a month or so, but could not be held until July. He said that the local dealer (who was a Groton resident) would hold them if the Town agreed to buy them in May adding that if not, they would see an anticipated increase of 20% in July with the new state contract and a delivery date that could be out 18 months. Mr. Haddad said that based on this, he would like to change the Capital Budget Article to read as follows:

"To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow pursuant to any applicable statute, a sum or sums of money, to be expended by the Town Manager in Fiscal Year 2022 and thereafter, for the purpose of funding the Fiscal Year 2023 Capital Budget, or to take any other action relative thereto."

He said that they would allow them to buy the two trucks should Town Meeting approve the appropriation and asked the Board to consider approving this.

Mr. Cunningham moved to approve the expenditure of the 2 trucks in FY22 as outlined by the Town Manager. Mr. Degen seconded the motion. The motion carried unanimously.

6. Mr. Haddad reviewed the Board's meeting schedule.

SELECT BOARD ITEMS FOR CONSIDERATION

1. Mr. Haddad said that Select Board Member Cunningham had proposed that the Select Board adopt a Proclamation in support of the Sovereign Nation of Ukraine and its people. He asked the Select Board to adopt the proclamation as presented if they were so inclined. Ms. Pine thanked Mr. Cunningham for bringing this forward and thought it was completely appropriate.

Mr. Degen moved to approve the proclamation as written. Mr. Cunningham seconded the motion. The motion carried unanimously.

2. Mr. Haddad said that the Playground area behind the Prescott School had not been used for many years. He said that the Park Commission was willing to take over the oversight of this area. He said that in order for that to happen, the Select Board needed to approve the transfer of the oversight to the Park Commission. Mr. Haddad respectfully requested that the Board take this action.

Mr. Degen said that he was not comfortable with this adding it was their ultimate plan to look at installing a municipal lot behind Prescott School. He said that by giving this piece of land to the Park Commission gave the Select Board's purview away. Mr. Cunningham said that the ownership control didn't change but instead just the oversight. Mr. Haddad said that they were not transferring the deed which Mr. Degen made a valid point about. Mr. Haddad suggested that the motion state that the land oversight be brought back to the Board should they need to look at other options for it.

Mr. Degen moved that the Select Board grant permission to the Park Commission for oversight but not control of the playground and all equipment contained within the boundaries of the Prescott parcel until such time as the Select Board terminates oversight. Mr. Cunningham seconded the motion. The motion carried unanimously.

3. Mr. Haddad said that for many years, they had discussed the potential of reconstructing Broadmeadow Road to alleviate the flooding and periodic closings of the Road. He said that they were in the process of filing the necessary paperwork with the Conservation Commission for approval to conduct some maintenance dredging of James Brook. He said that they would like to hire an engineer to design plans for the reconstruction of the road. He said that these plans could be used to apply for State and Federal Grants. He said that the estimated cost for this design was approximately \$100,000. Mr. Haddad said that he would like to use ARPA Funds for this purpose. He said that since these were Federal Funds, they would have to go out to bid to procure engineering services for this purpose. He said that while these services were ordinarily exempt under Massachusetts Law, they were not under Federal Law. Mr. Haddad asked for permission to advertise for engineering services and come back to the Board with actual cost for their approval of the use of ARPA Funds.

Mr. Degen said this would be a great use of ARPA funds adding this project was a long time coming.

Mr. Degen moved that they authorize the Town Manager to put out an RFP for engineering services to correct flooding issues on Broadmeadow Road using ARPA funds and to bring back cost proposals for the Select Board to discuss. Mr. Cunningham seconded the motion.

Ms. Manugian asked what the ultimate goal was for Broadmeadow.

The motion carried 4-1 with Ms. Manugian opposed.

4. Mr. Haddad said that he had provided the Board with a draft comment letter to the Massachusetts Department of Housing and Community Development on the MBTA Housing Choice Zoning Legislation. He said that this letter had been amended from the original letter he sent out last week based on feedback from various Board members. Mr. Haddad said that based on feedback from their Housing Coordinator, they had amended the letter to remove any reference on the "character of the Town". Mr. Haddad asked the Board to consider approving this letter.

Mr. Haddad asked for a motion to approve the letter and authorize the Chair to sign the letter to be submitted to Mass Department of Housing and Community Development on MBTA Housing Choice Zoning Legislation.

Mr. Cunningham made the motion. Ms. Manugian seconded the motion. The motion carried 4-1 with Mr. Degen opposed.

Mr. Degen said he was opposed to this adding he thought this legislation was being crammed down their throats.

5. Ms. Pine said that they had reached a three-year agreement between the Town Manager and the Town. She said that they went through a process whereas the salary was below the average based on a salary survey. She said that they focused on compensation in order to retain their Town Manager and retain competitive. She said that they shifted the car allowance into the base salary and ended up with salary amounts of \$160K in the first year, \$165K in the second year and \$170K in the third year. Mr. Degen said that Mr. Haddad was being compensated less than comparable towns. He said that Mr. Haddad took a zero last year and thought this was a fair and equitable salary for both the Town Manager and the taxpayers. He said that he thought the Town Manager deserved this as did the Board.

Mr. Degen moved to enter into a contract with Mark Haddad for a 3-year term beginning July 1, 2022-June 30, 2025 as stipulated in the contract. Mr. Reilly seconded the motion. The motion carried unanimously.

ON-GOING ISSUES

A: Mr. Haddad said that the Water Department had their kick off meeting earlier that day with the contractor for their water treatment plant.

D: Mr. Haddad said that the Flo Ro Building Project contractor met with the Planning Board last week which was a good meeting. He said that they continued the hearing until April 7th and were hoping to get mobilized on April 11th. He said that the Earth Removal Committee would be meeting with the contractor on April 5th adding Tom Delaney would be taking as much of the material as he could.

Ms. Pine said that the citizens petitioner, Jeffrey Brem came before the Planning Board last week. Mr. Haddad said that there were signatures required to change the wording. He said that if the Moderator allowed the amended wording within the four corners it could be done on the floor of town meeting. Mr. Haddad said that the Moderator did not think the wording was in the four corners. Mr. Haddad said that the cleanest way was to have the 10 signers of the petition sign a new petition with the updated wording, have the Select Board accept the wording and the Planning Board would hold a public hearing on April 28th. He said that this limited any interpretation.

MINUTES

Ms. Manugian moved to approve the minutes of the regularly scheduled meeting on March 14, 2022. Mr. Reilly seconded the motion. The motion carried unanimously.

Ms. Pine adjourned the meeting at 9:06pm.

Approved: _____
Peter S. Cunningham, Clerk

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

Date Approved: 4/4/2022