# **SELECT BOARD MEETING MINUTES**

#  **MONDAY, JANUARY 09, 2023**

 **Town Hall: Second Floor Meeting Room, 173 Main Street Groton, MA**

**SB Members Present:** John F. Reilly, Chair; Rebecca H. Pine, Vice Chair (virtual); Matthew F. Pisani, Clerk; Alison S. Manugian; Peter S. Cunningham

**Also Present:** Mark W. Haddad, Town Manager, Dawn Dunbar, Town Clerk, Patricia DuFresne, Town Accountant, Hannah Moller, Tax Accountant; Megan Foster, Principal Assessor; Melisa Doig, Human Resources Director; Michael Luth, Chief of Police; Tom Delany, DPW Director, Finance Committee: Bud Robertson, Chair; Colby Doody, Vice Chair, Gary Green, David Manugian, Scott Whitefield, Michael Sulprizio, Mary Linskey

John Reilly called the meeting to order at 6:30pm and reviewed the agenda.

**Determine Whether or Not to Modify or Uphold the Hearing Officer’s Decision to Humanely Euthanize Two Dogs Owned by Daniel Monroe of 828 Martins Pond Road.**

Mr. Haddad said that all Bylaws had been referenced and all documentation had been provided to the Select Board regarding the incident with Daniel Monroe's two dogs. The two dogs were declared dangerous. Mr. Haddad said that the Select Board has the authority to request a hearing for additional testimony or uphold the Hearing Officer's decision to humanely euthanize the two dogs. Mr. Haddad said that the dog owner has the right to appeal the decision within 10 days and proceed to the District Court.

Ms. Manugian questioned if the dogs could be transferred from the Town. Mr. Haddad said that is not an option, the Town is legally required to notify any Town if a dog has been declared dangerous.

Mr. Pisani asked if the Town would be held liable if another situation were to occur. Mr. Haddad said he would need to refer to the Town Counsel.

Ms. Pine commented that there is no need for any additional testimony because a comprehensive decision has been provided and requesting that the animals be restricted to the property would not be effective.

Mr. Cunningham asked Mr. Haddad why the final decision was made. Mr. Haddad said that this was the third occurrence and there was no other choice.

Daniel Monroe apologized for the attack and requested for the opportunity to train his dogs to be more obedient. He said that 2 out of the 3 recommendations provided urged confinement whereas the third recommendation came from a source that never conversed with him and only with the victim. Mr. Monroe expressed to the Board how significant his two dogs are to him. He said he would be appealing the Select Board’s decision.

*Mr. Cunningham made a motion to uphold the Hearing Officer's decision to humanely euthanize the two dogs owned by Daniel Monroe of 828 Martins Pond Road. Mr. Pisani seconded the motion. The motion was carried. Roll Call: Cunningham-aye, Reilly- aye, Manugian-aye, Pine-aye, Pisani- aye*

**ANNOUNCEMENTS/PUBLIC COMMENTS**

Ms. Pine encouraged the public to attend the Public Hearing regarding various options to improve Broadmeadow Road provided by the Town Consultants and Environmental Partners on Wednesday, January 11, 2023 at 7:00pm at the Groton Center.

Ms. Pine said that she was very disappointed with the delay of the swearing in of Margaret Scarsdale and that the victory had been confirmed in a recount. She said that the Town has been deprived of representation for a year now. Mrs. Scarsdale’s opponent Mr. Shepherd has commenced a lawsuit and the six surrounding Towns will be required to utilize tax dollars to defend the lawsuit, if it proceeds. Ms. Pine said that she has full confidence in the Groton Clerk and is calling for Mr. Shepherd to withdraw the lawsuit that has no merit. She is also calling on Speaker Mariano to immediately swear in Mrs. Scarsdale. Mr. Cunningham agreed with Ms. Pine and said that a special committee has been formed and is a concern. He suggested that the Select Board closely track the committee's progress and if there is no movement that the Select Board collaborate with other Select Boards and impose pressure on the speaker to ensure that the job is completed. Mr. Haddad commended Ms. Dunbar on managing the recount amazingly well.

Mr. Pisani said that an open house is being held this Saturday, January 14, 2023 at 9:00 a.m. to anyone of interest in becoming an on-call firefighter.

Mr. Pisani confirmed that the bonfire is scheduled for this Friday, January 13, 2023 weather permitting.

Mr. Haddad said that the Groton Council on Aging was chosen by Massachusetts Council on Aging to host training videos on the challenges and changes of managing during a pandemic. The Groton Center will be hosting a premiere of the videos this Friday, January 13, 2023 at noon. He said to please call the Groton Center to preregister.

Mr. Haddad said that there have been numerous comments on social media regarding the tax bill and felt it was necessary to address the residents and explain how the tax bills are calculated. A document has been drafted and will be accessible on the Town Website for all residents to view. Mr. Haddad said that the Town’s Board of Assessors is required by law to value dwellings up to 90%-110-% in fair market value. Groton’s Assessors are consistent with 97% and that value is determined based on the sales records for the previous year and the Department of Revenue also certifies that value. On average, all property values have increased by 18.5%. He said that if the property values did not change the tax rate would have been $18.56 resulting in an increase of $733. However, the tax rate has decreased from $17.19 to $15.64 bringing the average tax bill to $717. $300 of the amount represents the allowed increase in the levy in proposition 2.5% and the remaining $417 is associated with the excluded debt service for the construction of the new Florence Roche Elementary School. Mr. Haddad explained that the finance team observed low interest rates and locked in the percentage which then moved up the timeframe to paying off the debt services. He wanted residents to be aware that the increase did not result from hiring firefighters as noted on several blogs. The Board briefly discussed the Tax Bill Scheduling and the calculation of quarterly billing.

Mr. Art Prest, resident, said he is concerned with the increase of taxes, his bill specifically increased 24% and he is afraid that others will not be able to afford these increases. He said residents are panicking and are unsure of how they are going to fund all of their bills. Mr. Prest recommended that a detailed forensic analysis be performed.

Mr. Cunningham noted that there are various programs that residents can receive relief from.

Mr. Haddad said at the previous Select Board meeting it was voted to increase the Senior Work Off program’s abatement of $700 to $1,000. There will be at least 6-7 slots available for the next fiscal year. Mr. Haddad said that Ms. Moller has been working on receiving donations for the T. R. E. A. D (Tax Relief for Elders and the Disabled) and that program will also provide additional assistance. Ms. Foster said that her office is accepting applications for the following exemptions, elderly older than 70, surviving spouses, tax deferrals and disabled veterans. Ms. Foster noted that the Senior Work Off Program allows for applications to be submitted up until November 1st and hopes that all 30 slots are fulfilled next year. Ms. Moller said that she has been actively working on receiving donations for the T. R. E. A.D and the committee would be meeting this Wednesday. She encouraged residents to reach out to the Town Hall for assistance and said that there are multiple programs that can be considered.

Mr. Val Prest said that he has been a long time resident of Lost Lake and receives one of the higher tax bills in Town. He said that he is strictly on Medicare and is finding it difficult to pay for his taxes. He commented that the Town has received significant land donations and suggested that the properties be sold for commercial use. By creating taxable income it would allow for the Town to reduce its taxes for residents.

**Bud Robertson called the Finance Meeting to order at 7:18 p.m.**

Connie Sartini, resident, asked who is responsible for increasing the number of participants in the Senior Work Off Program. Mr. Haddad said that the Select Board makes the determination on the number of slots; however the impact of the overlay needs to be considered. Ms. Sartini asked what occurs if the valuation of a property changes. Mr. Haddad said that the property would be reassessed however, reiterated that if the property values drop the tax rate would increase. Ms. Foster stated that the State requires assessors to perform revaluations every year. Ms. Sartini requested more information on auditing the School District. Mr. Haddad said that the Finance Committee would determine the budget as soon as it is provided by the school. Mr. Robertson explained the process of reviewing the school budget and stated that 80% of the budget is generally made up of employees and the Committee will seek if those employees are necessary. Mr. Green said that Regional School Districts operate themselves and the Town has no ultimate power on their actual budget. He explained that the Town collaborates with the schools and provides recommendations; however, it can be determined how each dollar is expensed at Town Meeting. Mr. Brian LeBlanc, Groton Dunstable School Committee Chair, said that the committee would present a budget by February 8th, 2023. A public hearing will be on February 15, 2023 if there is any feedback. Mr. LeBlanc said that the school committee is supportive of the Finance Committee’s recommendations and tries to answer all their questions; however, confirmed that the school committee has control over their final budget.

Ms. Manugian asked if there are any tax relief programs that the Town is not taking advantage of. Ms. Foster said that the Town has not adopted the Valor Act which is directed toward military personnel. She said she would be willing to research the program further.

Mr. Art Prest said that he conducted a forensic analysis on the budget in 2016 when the Town was facing a $1.9 million override and to his understanding there were many questionable items. He suggested that the level service budget be analyzed for any pre-covid expenses that may not be necessary for the upcoming fiscal year.

**TOWN MANAGERS REPORT**

1. **Call for and Open the Warrant for the 2023 Spring Town Meeting** Mr. Haddad said that the Town’s Bylaw states that the Spring Town Meeting is to be held on the 4th Monday of April. He said that the Town has been successful holding the meetings on Saturdays and is requesting that the meeting be held on April 29, 2023 which allows for an additional week to be prepared. The warrant would open tonight and close on February 24th.

*Mr. Cunningham made a motion to call for the 2023 Town Spring Meeting to be held on Saturday, April 29, 2023. Ms. Manugian seconded the motion. The motion carried. Roll call: Pine-aye, Manugian-aye, Pisani- aye, Cunningham, Reilly- aye*

*Ms. Manugian made a motion to open the warrant for the Spring Town Meeting tomorrow January 10, 2023 at 8:00 a.m and to close the warrant on Friday, February 24, 2023 at the end of the business day. Mr. Cunningham seconded the motion. The motion carried. Roll Call:.Pine-aye, Manugian- aye, Cunningham- aye, Pisiani-aye, Reilly-aye*

1. **Fiscal Year 2024 Budget Development Update**

Mr. Haddad presented the Fiscal Year 2024 Operating Budget in a joint session with the Finance Committee using a PowerPoint presentation. He commenced the presentation by discussing the process of maintaining the municipal services at the same level as FY2023 and supporting the Operational Assessment of the Groton Dunstable Regional School District. He said under Section 6.4.1 of the Groton Charter that the proposed budget shall be balanced and not require an Override of Proposition 2 ½. Mr. Haddad said in October, 2022 the Finance Committee and the Select Board collaboratively set the following guidance in developing the FY2024 proposed Balanced Budget. On November 1, 2022 Mr. Haddad requested that the Departments provide an outlook on their anticipated expenditures. Those budgets were due on November 21st and review meetings proceeded the following week by the Town’s Finance Team, (Patricia Dufresne, Hannah Moller, Megan Foster, Dawn Dunbar, Melisa Doig, Michael Hartnett, and Kara Cruikshank.) Mr. Haddad said prior to completing the proposed budget the Town heard that the anticipated increase of 5.01% that was set aside for the School District would be insufficient and would not meet the schools anticipated increase of 13.3%. The Select Board and Finance Committee had a meeting on December 19, 2022 to discuss alternatives to address the issue. At that time no final decision was made due to the school committee not being able to provide a preliminary budget until February 8, 2023. Mr. Haddad said that he was required to submit a balanced budget by December 31, 2022 and the budget proposed would reflect the original 5.01% for the School District.

The presentation highlighted Budget Development next. Mr. Haddad said that after performing a comprehensive review of the building permits issued and proposed projects that there would be an estimation of $18 million in new growth for the FY2024, adding $281,520 to the tax levy. There is anticipation that State Aid will increase by $75,000 totaling to $1,152,749 which will also account for the full reimbursement of the Senior Van Expenses. Mr. Haddad said that there is anticipation for an increase in estimated receipts or an additional $575,318 from the following items, Motor Vehicle Taxes ($1,828,638/increase of $16,380), Meal Tax/Room Occupancy Tax (increase of $50,000), Recreational Marijuana Revenue (new revenue line of $150,000), Payments in Lieu of Taxes ($350,000/increase of 25,000 from ticket sales from Groton Hill Music), Other Charges for Services ($99,000/ increase of $9,000 agreement with Dunstable) and Other Departmental Revenue ($800,000/increase of 25,000). Mr. Haddad urged reductions to Licenses and Permits due to the concern that the significant 36% increase in FY2024 for the redevelopment of the Deluxe Property will not be met in the future years. He also said that the anticipated Investment Income that has been averaging for the last five years at $49,929 is being pushed to its limits and should also be reduced. There have been higher interest rates this year increasing the revenue to $90,000, and Mr. Haddad believes those rates will fall. For Recreation Revenues based on the success of the Country Club the amount of revenue is being increased to $94,733 totaling $700,000. Mr. Haddad said on February 6, 2023 that the Town would be notified of the Health Insurance rate.

Ms. Linskey questioned the status of the committee that was supposedly addressing the private schools to offset some of those expenses. Mr. Haddad said that the committee would be contacting the schools within the month.

Mr. Haddad explained that this was the largest yearly increase in anticipated revenues and that the Finance Team has been very aggressive in developing the numbers. He noted that there could potentially be an adverse impact on Free Cash. Mr. Haddad then showed the calculated projections for the expected levy limit for FY2024 totaling $36,550,000. The FY2023 total tax levy was calculated at $41,461,933. Mr. Haddad said that the Other Estimated Revenues (state aid, motor vehicle excise, general revenues, free cash, and other available funds) totaled $7,554,514. A pie graph was displayed showing the sources of revenue being acquired from property taxes, excluded debt, state aid, local receipts, the Country Club revenue, and other available funds for FY2024

 Mr. Haddad reminded the Boards in his Budget Summary that the Finance Team thoroughly reviewed all submitted budgets and that the Town has no option but to fund Pensions and Health Insurance. The Middlesex County has informed the Town that the assessment would decrease by 1.76% to $2,494,280. Health insurance has been estimated at 11% however, the number would be adjusted accordingly in February once the final rates are received. Mr. Haddad said that there are a few routine budgetary expenditures that need to be funded as well. Salaries and wages will increase by a total of $260,735. Municipal Excluded Debt is significantly increasing by $1,143,549 due to paying the debt service of the new Florence Roche Elementary School. Mr. Haddad said that the levy will be set at $230,980. The Town Accountant's position is being reclassified to Assistant Director of Finance/ Town Accountant and the salary is to increase by $13,298. Mr. Haddad said that the DPW Director will be retiring and a DPW Director in Training Program has been established. There will be no associated wage increases as the proposed $7,000 stipend will come from the savings in wages from a recent retirement. Mr. Haddad said that a Major Initiative is being proposed in the FY2024 Operating Budget. He said that the Operating Budget includes $87,000 of funding for an additional Fighter/EMT however; wages will decrease due to the one time expenditures in FY2023. Mr. Haddad explained if this position is not funded the total reduction would be $30,000 due to covering additional overtime and on-call salaries. The Enterprise Fund Budgets were calculated totaling $3,370,790 and the total Capital Budget requested is $2,120,856. Mr. Haddad then displayed the calculated expenditure breakdown and the Municipal Government totaled $16,990,530, the increase for FY2024 would be 3.4%. Tax Impact was discussed and as shown the highest percentage change resulted from the construction of the new Florence Roche Elementary School.

Mr. Haddad then discussed five additional scenarios to address the anticipated budget shortfall of $2,012,584 that the School District estimated. Scenario #1- Town approves balanced budget proposed by the Town Manager and increases the Operating Assessment of the District by 5.01%. The school would need to reduce their anticipation to meet the proposed assessment. Scenario #2 The Town and the School District jointly reduce budgets to meet the anticipated shortfall of $2,012,584. The School District would be responsible for $1,167,299 and the Town would need to provide $845,285. The Districts Operating Assessment would increase to $2,063,683. In order for the Town to meet the assessment the Town would not fund the Districts Capital Assessment and utilize $552,203 in a onetime revenue source. Scenario #2(B) same a #2 Town and School District share the burden. The Town would fund the Districts Capital Assessment by reducing the Municipal Budget Request by $845,285. This would result in the FY2024 budget appropriation being $203,802 less than the current fiscal year. Mr. Robertson commented that an alternative scenario had already been discussed and it was the preferred solution 2(c) that the School District receives $250,000 of the $552,000 and that the Town would reduce their capital budget by an equal amount. Scenario #3 Town fully funds the anticipated Operating Assessment. The Town’s fiscal year budget would be 2,012,584 less than this year's appropriation. Scenario #4 The Select Board calls for an Operational Override of Proposition 2 ½ to meet both the Municipal Balanced Budget and the Operational Assessment of the School District. The override amount would increase the anticipated FY2024 Tax rate by $.80.

 Mr. Haddad then discussed the timeline of receiving the proposed school budget on February 8th and the dates of reviewing it and the deadlines that need to be met by March 15th. The Select Board has until April 10th to call for an override. Mr. Haddad recommended delaying the Saturday, February 4th 2023 Finance Committee/Select Board Budget Review meeting until the number from the school is received.

Mr. Robertson commented that the Town or the School District funding the entire amount would not be feasible and suggested that they find a solution to reach the $2 million. Mr. Haddad said that the Finance Team has reductions to meet all scenarios discussed. He said once the number is finalized by the School Committee then there will be an executive session. Mr. Robertson said when the discussion commenced the Town did not want an override situation due to the impact on taxes. There needs to be a split for the municipalities and the School District to then discuss what can be reduced or eliminated to reach those numbers. Mr. Haddad said that February 8, 2023 is an important date; the superintendent will release the budget for the School District. He said he failed to mention that Nashoba Valley Technical High School will be level funded due to four less students attending than the prior year. Mr. Green asked why the Finance Committee and the Select Board would be meeting to discuss the operating budget if the School Districts number is not in. Mr. Haddad requested an executive session prior to the March 4th meeting. Mr. Robertson commented that it's important for the Finance Committee to be knowledgeable of the numbers that Mr. Haddad is thinking of prior to meeting with the Department Managers. Mr. Leblanc said that the School District would have a “good, better, best scenario” at the end of January which would allow for them to observe the number of teachers or positions that can be eliminated. He said that the community will also have a better understanding of the impacts to the School if their numbers are not met. Mr. Green reiterated the importance of knowing the tradeoffs prior to the executive session; he then asked Mr. Haddad if it would be worthy to have a more detailed discussion to provide the entire context or background. Mr. Haddad said that the executive session would be sufficient and there would still be opportunities to make recommendations.

Ms. Manugian asked whether it makes sense to change the date requirement of the Charter from December 31st due to all the work that is performed prior to receiving the finalized budgets from the School District. She also asked if there is a way to change the requirement of needing a balanced budget. Mr. Haddad said that the Charter Committee had previously considered changing the date however decided against it. Ms. Manugian said that the MMA Conference is coming up next week and that the School District cannot be the only ones finding that the Covid impacts require more time and investment. She suggested that Mr. Haddad coordinate with Laura Chesson, Superintendent, and commence advocating with the State through the school committees or superintendents to try and receive any additional funding that may be available.

Mr. Sulprizio questioned whether user fees, permits, and or licenses had been increased. Mr. Haddad said that Ms. Dunbar conducted a study a couple of years ago and the revenue at the Transfer Station increased significantly. He said that the building, electrical and plumbing permits have been increased and recommended against increasing those fees so soon.

Mr. Robertson recommended a pre-executive session and then a post executive session. Ms. Manugian commented that it may be difficult to fit in the extra sessions with April vacation.

**Mr. Robertson adjourned the Finance Committee meeting at 8:27p.m.**

1. **Update on Select Board Meeting Schedule Through 2023 Spring Town Meeting**

Mr. Haddad updated the meeting schedule that would take the Board to the 2023 Spring Town Meeting.

 Wednesday, January 11, 2023 -Public hearing on Broadmeadow Improvements

Monday, January 16, 2023 -No Meeting (MLK Holiday)

Monday, January 23, 2023 -Regularly Scheduled meeting

Monday, January 28, 2023 -Potential FinCom Budget Hearing

Monday, January 30, 2023 -Regularly Scheduled Meeting

Saturday, February 4, 2023 -Potential FinCom Budget Hearing

Monday, February 6, 2023 - Regularly Scheduled Meeting

Monday, February 13, 2023 - Regularly Scheduled Meeting

Monday, February 20, 2023 - No Meeting (President’s Day)

Monday, February 27, 2023 - Regularly Scheduled Meeting

Monday, March 6, 2023 - Regularly Scheduled Meeting

 Monday, March 13, 2023 - Regularly Scheduled Meeting

 Monday, March 20, 2023 - No Meeting

 Monday, March 27, 2023 - Regularly Scheduled Meeting

 Monday, April 3, 2023 - Regularly Scheduled Meeting

 Monday, April 10, 2023 - Regularly Scheduled Meeting

 Monday, April 17, 2023 - No Meeting (Patriot’s Day

 Saturday, April 29, 2023 -2023 Spring Town Meeting

**SELECT BOARD ITEMS FOR CONSIDERATION AND ACTION**

1. The Squannacook Greenways requested that the Select Board approve the letter of support to the Community Preservation Committee. Application (#2024-09)

Mr. Cunningham said there have been minor changes to the first paragraph of the drafted letter. The letter had referenced the phase of the construction of the rail trail in Townsend Center and Townsend Harbor and that section has been completed. The letter currently reflects the construction from Bertozzi to Crescent Drive.

Mr. Hadadd requested that the Select Board approve the amended letter.

*Ms. Manugian made a motion to approve the letter to the Community Preservation Committee in support of the Squannacook Greenways Application. Mr. Cunningham seconded the motion. The motion carried. Roll Call: Cunningham-aye; Manugian-aye; Pine- aye; Reilly-aye; Pisani-Aye*

**ON-GOING ISSUES**

Mr. Haddad said there needs to be a solution for the PFAS Issue at the High School. He said he would be meeting with engineers to decide the best remediation plan this week. The topic will be added to the upcoming agenda to discuss how the expenses will be funded.

Mr. Haddad reminded the Board that there will be a topping off ceremony at the Florence Roche Elementary School and recommended taking the opportunity to sign the exposed beam. He commended Gilbane Building Company for the work they have completed. Ms. Manugian commented that the next bid package would be authorized this month and it will bring the Town to approximately 90% of the gross maximum price.

**MINUTES**

*Mr. Cunningham made a motion to approve the minutes of the regularly scheduled meeting on December 19, 2022. Ms. Manugian seconded the motion. The motion carried. Roll Call: Cunningham-aye; Manugian-aye; Pine- aye; Reilly- Aye, Pisani-Abstain.*

The meeting was adjourned at 8:40 p.m.

Respectfully submitted: Kristine Fox, Minute Taker