

SELECT BOARD MEETING MINUTES
MONDAY, JUNE 26, 2023
APPROVED

SB Members Present: Peter Cunningham, Chair; John Reilly, Vice Chair; Alison Manugian, Clerk; Becky Pine; Matt Pisani

Also Present: Mark Haddad, Town Manager; Kara Cruikshank, Executive Assistant to the Town Manager; Hannah Moller, Treasurer/Collector; Nik Gualco, Conservation Administrator; Moderator Jason Kauppi; Dawn Dunbar, Town Clerk; Tom Orcutt, Water Superintendent; Patricia Dufresne, Town Accountant; Michelle Collette, Earth Removal Stormwater Inspector; Tyler Schmidt and Robert Rafferty, Environmental Partners; Jim Gmeiner, Board of Water Commissioners

Mr. Cunningham called the meeting to order at 7:00 PM and reviewed the agenda.

ANNOUNCEMENT

Mr. Cunningham said that last Thursday, June 22nd, the Diversity Equity and Inclusion Committee held a meeting to discuss renaming one of Groton's Conservation properties to honor the Nipmuc People. Mr. Cunningham thought it was a great meeting. Ms. Pine said the meeting was recorded for anyone interested in watching it.

PUBLIC COMMENTS

None

TOWN MANAGERS REPORT

- 1. Consider Ratifying the Town Manager's Appointments of John Babcock, Medha Sri, and Alix Chace as Lifeguards at the Groton Country Club and Deborah Dennis as a Per Diem Van Driver**

Ms. Pine made a motion to ratify the Town Manager's appointment of John Babcock, Medha Sri, and Alix Chace as Lifeguards at the Groton Country Club. Mr. Pisani seconded the motion. The motion carried unanimously.

Mr. Pisani made a motion to ratify the Town Manager's appointment of Deborah Dennis as a Per Diem Van Driver. Ms. Manugian seconded the motion. Ms. Pine wanted to let all residents know that if they are over 60 years old, they could request a ride on the Senior Van for a small fee.

The motion carried unanimously.

- 2. Consider Accepting the Town Manager's Nomination of Bob Fournier and Ken Adams and Appoint Mr. Fournier and Mr. Adams to the Trails Committee**

Ms. Pine made a motion to accept the Town Manager's nomination and appoint Bob Fournier and Ken Adams to the Trails Committee with a term to expire on June 30, 2024. Ms. Manugian seconded the motion. The motion carried unanimously.

3. Update from the Town Manager on PFAS Issue at GDRSD High School

Mr. Orcutt, the Water Superintendent, Mr. Rafferty and Tyler Schmidt from Environmental Partners were present for the discussion.

Mr. Haddad said they continue investigating the best solution to bring clean potable drinking water to the Groton Dunstable Regional High School. He said the two options they are investigating were bringing water from Pepperell, known as the Regional Solution, or bringing water from Groton's Whitney Well, known as the Groton Solution. Recently they met with DEP and DCR to understand the permitting necessary for all solutions. Mr. Haddad gave the Board a report summarizing the permits needed for the various options (see attached report). He said it would be safe to say that most options would take at least two years to permit, except for taking water directly from Pepperell. Mr. Haddad and the Town Administrators from Pepperell and Dunstable met to discuss how they could all work together regionally to develop the most cost-effective solution. Based on their discussion, they believe the best option for all three towns would be for water to come directly from Pepperell, which could be implemented immediately. Mr. Haddad explained that they initially rejected this Option due to the levels of PFAS in the Pepperell Jersey Street Well (it tested at 13 parts per trillion (ppt)). He said it would make the most sense to revisit that Option financially. The original estimate for the Pepperell Option was between \$4 million and \$5 million. He said they believe they could add a temporary facility at the High School before distributing the water to the High School and the surrounding properties in Dunstable. Mr. Haddad said he would like the Board to consider proceeding with the Regional Solution (Option 1) and have Environmental Partners begin the preliminary design and permitting. Mr. Haddad said he is trying to save as much money as possible for the Groton taxpayers.

Water Superintendent, Mr. Orcutt, said they must look at the town's financial situation to see what is best. Mr. Reilly asked Mr. Haddad if they knew the cost of the temporary treatment. Mr. Haddad said that they did not know right now. Ms. Pine inquired about possibly using the water for irrigation after the treatment process. Mr. Haddad said that the school could potentially access the temporary treatment and cover the expenses for the irrigation. Ms. Manugian said the EPA wants to lower the levels to 4ppt of PFAS. Mr. Orcutt said it was going to happen, but nobody knows when. Ms. Manugian also stated that the testing information for Dunstable shows different levels, and they appear to change over time. She asked Mr. Schmidt and Mr. Orcutt if they knew any more information about that data. Mr. Orcutt said they did not have any additional information. She also asked if the town would pay a rate for usage. Mr. Haddad said determining any possible fees would require negotiation and ultimately be decided by the Board. Ms. Pine said that she believed part of Pepperell is a part of the Environmental Justice Program, but it would be helpful to them for the permitting process. Mr. Orcutt said they must decide on a Solution for the SRF applications by early August. Board of Health Member Michelle Collette said the BOH was still receiving phone calls from residents on Chicopee Row saying that their results have been under 20ppt but they were concerned they were over the 4ppt. She explained that the BOH had revised its well regulations recently; they added that a water quality test for PFAS must be done before occupancy permits are issued and before the sale of a home. Water Commissioner Jim Gmeiner said he hoped a level of 16 ppt wouldn't be considered acceptable and should be lower. He was also concerned about the treatment to get the levels down to 4 ppt. He thought there should be a fund in town to pay for people's well testing.

Ms. Pine made a motion to pursue Option 1. Ms. Manugian seconded the motion.

Ms. Manugian suggested amending the motion to pursue Option 1 and to continue exploring Option 4 (the Groton Option). Ms. Pine accepted that amendment and the new main motion was to authorize the Town Manager to pursue Option 1, while continuing to explore Option 4.

The Motion carried unanimously.

4. Review Anticipated Line-Item Transfers

Town Accountant Ms. Patricia Dufresne was in attendance for this discussion. Mr. Haddad said the Board would meet in Joint Session with the Finance Committee on July 10th to approve FY2023 Line-Item Transfers. Ms. Dufresne had prepared a preliminary list and provided it to the Board for review. Mr. Haddad explained that the list may change once the final FY 2023 invoices are submitted. Ms. Dufresne presented the Board with a proposed \$117,033.02 in line-item transfers. She said the proposed Net Transfer was similar to previous years.

5. Recommendation from Town Manger to Remove Prescott Playground

Mr. Haddad said the Board had been working with the Park Commission and Friends of Prescott to restore the playground at the Prescott School. Mr. Haddad said he would like to withdraw this item. The Friends of Prescott are trying to fundraise for the playground privately. Ms. Pine reported that she looked at the equipment and said some are old, but some are still in good condition and could be used.

6. Update on Select Board Meeting Schedule Through Labor Day

Monday, July 3, 2023	No Meeting (July 4th Holiday)
Monday, July 10, 2023	-Meet in Joint Session with the Finance Committee to Approved FY 2023 Line-Item Transfers -Set the Date and Open the Warrant for the 2023 Fall Town Meeting
Monday, July 17, 2023	Regularly Scheduled Meeting
Monday, July 24, 2023	No Meeting
Monday, July 31, 2023	Regularly Scheduled Meeting
Monday, August 7, 2023	No Meeting
Monday, August 14, 2023	Regularly Scheduled Meeting
Monday, August 21, 2023	No Meeting
Monday, August 28, 2023	Regularly Scheduled Meeting
Monday, September 4, 2023	No Meeting (Labor Day Holiday)
Monday, September 11, 2023,	Regularly Scheduled Meeting

ITEMS FOR SELECT BOARD CONSIDERATION AND ACTION

1. Initiate the Annual Performance Review of the Town Manager

Mr. Haddad said it was that time of year for the Select Board to begin the Annual Performance Review of the Town Manager. He said that the Chair needed to certify which members could participate in the Annual Review and direct the Town Manager to begin his self-evaluation. The Board was provided with a copy of the Town Manager Evaluation Policy. Mr. Cunningham commenced the review of the Town

Manager and certified Members Cunningham, Pine, Pisani, Reilly, and Manugian were eligible to participate in the review of the Town Manager. Mr. Haddad is to provide his portion of the review within the next 15 days to the HR Director.

2. Consider Approving a Change of Manager of both 128 Main Street LLC dba the Groton Inn and 128 Main Street LLC dba Forge and Vine from Tricia Thompkins to Michael Noseworthy on both the All Alcoholic On-Premises Licenses and Common Victualler licenses

The owner of 128 Main Street, LLC, Mr. John Amaral, was in attendance. Mr. Noseworthy was in attendance as well. Mr. Haddad stated that Mr. Noseworthy is TIPS Certified and ready to start. Mr. Amaral said Mr. Noseworthy had 37 years of experience in the food and beverage industry but had been with the Groton Inn and Forge & Vine since 2018. Mr. Amaral said they were fortunate to have Mr. Noseworthy in-house and promote him to Manager.

Ms. Pine made a motion to approve the Change of Manager for 128 Main Street LLC dba the Groton Inn from Tricia Thompkins to Michael Noseworthy on the All Alcoholic On-Premises Licenses and Common Victualler Licenses. Mr. Pisani seconded the motion. The motion carried unanimously.

Ms. Pine made a motion to approve the Change of Manager of 128 Main Street LLC dba Forge and Vine from Tricia Thompkins to Michael Noseworthy on the All Alcoholic On-Premises Licenses and Common Victualler Licenses. Mr. Pisani seconded the motion. The motion carried unanimously.

3. Consider Approving an Earth Removal Exemption for 111 Farmers Row

Earth Removal Stormwater Inspector Michelle Collette was in attendance for the discussion. The Select Board had received a Request for a Certificate of Exemption submitted by Prescott Development to remove 500 cubic yards of excess earth material generated by the construction of a single-family home, sewage disposal system, and driveway at 111 Farmers Row. The removal of material qualifies as an exemption under Chapter 134, Section 10, of the Code of the Town of Groton because the excess material results from the construction of the new house lot. The Earth Removal Stormwater Advisory Committee granted this project a Stormwater Management Permit #2020-07 on November 17, 2020. Ms. Collette said the exemption was in addition to the exemption granted on June 15, 2023 for the first 500 cubic yards of material.

Ms. Pine moved to approve the Earth Removal Exemption to move up to 500 cubic yards of excess earth material for 111 Farmers Row with the conditions as stated in the recommendation from the Stormwater Inspector (attached to these minutes). Ms. Manugian seconded the motion. The motion carried unanimously.

4. Revote Conservation Restrictions Approved at the 2023 Spring Town Meeting

Conservation Administrator Nik Gualco was in attendance for the discussion. The State had made it clear that they would need the Town (Select Board and Conservation Commission) to re-vote its approval of the Conservation Restriction held by the Trust. Mr. Gualco said that since the May 22nd vote to grant the Conservation Restrictions, there had been a bunch of exchanges and changes to the CR. He explained that this was specifically for the Casella Property, the Priest Family/Martins Pond Conservation Area, and

Patricia Hallet Conservation Area. Due to the number of changes, the State believed these minor revisions to Conservation Restrictions would constitute a substantive change and need to be re-voted by both the Select Board and Conservation Commission.

Mr. Pisani moved that the Select Board approve the grant of Conservation Restrictions to the Groton Conservation Trust over the Casella Preserve, the Priest Family Conservation Area, Martins Pond Conservation Area, and the Patricia Hallet Conservation Area properties, as described in the April 20, 2023 Town Meeting Warrant Articles 20 and 21. Ms. Manugian seconded the motion. The vote carried unanimously.

Discussion-Town Meeting

Mr. Haddad said the Board received an email from Resident Ginger Vollmar expressing her concerns about holding Town Meeting on a Saturday and the length of the 2023 Spring Town Meeting (it lasted 5 hours). The Board had requested to schedule this for a discussion with the Moderator and Town Clerk. Both Moderator Jason Kauppi and Town Clerk Dawn Dunbar were in attendance, as well as Ms. Vollmar. Mr. Haddad expressed that he wanted to share his thoughts on Town Meeting, specifically the length of the meeting and holding it on a Saturday. He believed that Saturday Town Meetings have been extremely successful, and issues on the Warrant is what brings people to Town Meeting. Mr. Haddad shared the attendance data at Town Meetings over the last several years. Mr. Haddad stated that attendance at Town Meeting is similar, whether on a Monday or a Saturday. He said another consideration is the second night at Town Meeting; attendance dropped significantly. He asked the Board to consider the following:

2019 Spring Town Meeting-First Night- 380
2018 Spring Town Meeting- First Night-379

Second Night-190-Drop off of 50%
Second Night-203-Drop off of 46%

Ms. Vollmar expressed concern that the five hours Town Meeting was too long and suggested there should be some guidelines. She would like Town Meeting to go back to Monday evening. Ms. Pine shared that there was a year when Town Meeting ended up being six consecutive evenings. Mr. Kauppi said the lengthy meeting was due to the number of people speaking. Ms. Vollmar stated she would like to see a consent agenda for the CPA Articles. Ms. Manugian said she thought Saturdays work well. Mr. Haddad said they could work with the scouts to sell food during the meeting. Mr. Haddad agreed with Ms. Vollmar's proposal to have a consent agenda for the CPC Articles. Finance Committee Chair, Mr. Bud Robertson, said twice as many people attend Spring Town Meetings. He stated there is also an additional cost for a second meeting. Mr. Cunningham suggested continuing with Saturday Town Meetings. On July 10th, Mr. Haddad will request that the Select Board call for Fall Town Meeting. The default date is Monday, October 16th. The proposed alternative dates are October 14th, October 21st, or October 28th. Mr. Haddad said the only issue with October was the need to address the PFAS problem. The Board preferred to hold Town Meeting on Saturday, October 28th. Mr. Haddad will bring this date for approval at the July 10th Meeting.

OTHER BUSINESS

1. Consider Appointing Patrick Parker-Roach to the Sustainability Commission

Ms. Pine made a motion to appoint Patrick Parker-Roach to the Sustainability Commission. Mr. Pisani seconded the motion. The motion carried unanimously.

ON-GOING ISSUES

- A. Water Department- Manganese Issue -December is the contractual date for completion. Mr. Haddad said they were on target. The building is beautiful, Mr. Haddad said.
- C. Green Communities Application and Implementation- Mr. Haddad said Quintin Shea has one more class to complete before he finishes. Mr. Haddad said they signed a grant agreement with the MRPC for \$3,000 to have them help the Town complete its reporting and application for the next round of Grant Funding. Mr. Haddad said Karen Chapman from the MRCP is an excellent asset to the town.
- D. Florence Roche Elementary School Construction Project- Ms. Pine asked for the expected completion date. Mr. Haddad said the students should move in during April of 2024. The project's gross maximum price will be certified by the Building Committee on Thursday, June 29th.
- E. Town Manager's Tri-Comm Working Group- Mr. Haddad said the second meeting was held that day, Monday, June 26th. Mr. Haddad classified the meeting as spirited. The next meeting will be held on July 17th. He said the Tri-Comm Members received a timeline outlining their plan to present a preliminary report to the Select Board, Finance Committee, and School Committee in October before the Fall Town Meeting. The Select Board and Finance Committee will give guidance to the Town Manager on October 30th. He said it is an aggressive schedule, but he is confident the Committee will meet the deadline.

Approval of Minutes from June 12, 2023

Mr. Reilly made a motion to approve the minutes of the regularly scheduled meeting from June 12, 2023. Ms. Pine seconded the motion. The motion carried unanimously.

The meeting was adjourned at 8:27 pm.

Respectively submitted by Kara Cruikshank, Executive Assistant to the Town Manager.

**CERTIFICATE OF EXEMPTION
EARTH REMOVAL BY-LAW, CHAPTER 134, SECTION 10 EXEMPTIONS**

At its meeting of June 26, 2023, the Board of Selectmen voted to approve a Certificate of Exemption under Section 134-10 of the Earth Removal By-Law to:

APPLICANT ADDRESS

111 Farmer Row
Groton, MA 01450

LAND OWNER ADDRESS

13 Mulpus Road
Shirley MA, 01464

For material to be removed from property located at:

Street Address:	111 Farmers Row
Assessor's Lot:	107-1
Zoning District:	R-A
Definitive subdivision plan:	none

Quantity of material shall not exceed: 500 cubic yards

CONDITIONS & LIMITATIONS

1. No operating on site before 7:00 AM or after 5:00 PM unless the Select Board determines otherwise.
2. Loaded trucks shall depart from the site only within such hours as the Select Board, after consultation with the Police Chief, may prescribe in the interest of public safety.
3. The public roadway must be cleaned at the end of the workday.
4. Applicant shall notify the Earth Removal Stormwater Inspector prior to commencement of activity.
5. Slope of stockpiles shall not exceed 2:1.
6. Stockpiles shall be stabilized with non-invasive, fast-germinated seed such as annual rye to prevent dust and wind-blown erosion. Erosion control barriers shall be installed around the base of the stockpiles.
7. Town water is available on the site. It is imperative that appropriate dust control measures to be undertaken at all times.

BOARD OF SELECTMEN:

DATE OF ISSUANCE:

June 26, 2023

Peter S. Cunningham

John F. Reilly

Alvin S. Manuagom

Rebecca H. Pine

Matthew R.

EXPIRATION DATE: (one-year from date of issuance) June 26, 2024

cc: Earth Removal Inspector, Building Inspector, Planning Board, Police Chief, Board of Health, Conservation Commission, Highway Surveyor, Fire Chief, Water Department