



TOWN OF GROTON

173 Main Street
Groton, Massachusetts 01450-1237
Tel: (978) 448-1111
Fax: (978) 448-1115

Select Board

Barry A. Pease, *Chair*
Alison S. Manugian, *Vice-Chair*
John R. Giger, *Clerk*
Joshua A. Degen, *Member*
Rebecca H. Pine, *Member*

Town Manager
Mark W. Haddad

To: *Select Board*

From: *Mark W. Haddad – Town Manager*

Subject: *Weekly Report*

Date: *December 10, 2018*

1. Other than the Town Manager's Report and a review of the On-going Issues List, there is nothing specifically scheduled on Monday's Agenda.
2. Select Board Member Pine had provided the Board with an Editorial that appeared in the Boston Globe last week concerning funding for the Community Preservation Act. She had requested that the Board draft a letter to our State Representatives urging them to increase the State Matching Funds for this program. Enclosed with this report is a letter I have drafted and would ask the Board to consider sending it to both Representative Harrington and Senator-elect Kennedy. In addition, one of the issues that the Board has on its "future agendas" list is the issue of whether or not to continue with the CPA. The Board should consider this while approving the letter. We can discuss this further at Monday's meeting.
3. At last week's meeting, I had presented the Board with a proposed Memorandum of Agreement between the Town and Indian Hill to resolve any outstanding issues relative to Town fees required for the Indian Hill Construction Project. The Board had some issues with the Agreement and requested that Town Counsel amend the agreement to include those issues. Specifically, the Board wanted the following issues addressed:
 - A. This Agreement is in effect until such time as a certificate of occupancy is issued.
 - B. The special permit condition issued by the Planning Board to reconstruct the Old Ayer Road/Route 119 Intersection should be included in the Agreement as a requirement.
 - C. Police Details required for the reconstruction of that intersection is the responsibility of Indian Hill.
 - D. The Administrative Fee shall only be waived if it is waived for all other applicants.
 - E. Clause #6 which reads "Signage bylaw review fee: amount depending on the type of signage proposed but not to exceed \$30 to \$100, based on an exempt use in the Residential-Agricultural (RA) zoning district" is confusing to the Board and needs clarification. The Board didn't understand how a fee cannot exceed either \$30 or \$100. Please clarify.

I have asked Town Counsel to address these issues immediately and get back to me with the revised agreement for Board consideration. As part of the negotiation, Indian Hill asked for clarification on the proposal to institute a ticket tax. They would like that resolved as part of these negotiations. I have asked Town Counsel for an opinion on the legality of this type of tax. I will forward any additional documentation under separate cover for your consideration and approval at Monday's meeting.

**Select Board
Weekly Report
December 10, 2018
page two**

4. Select Board Member Giger drafted the attached Capital Definition Policy for the Board's review and approval. I would ask the Board to review and consider approving this draft at Monday's meeting.
5. At last week's meeting, the Select Board asked me to contact Town Counsel and seek his opinion on the Town's liability relative to plowing sidewalks. Specifically, the Board wanted to know if the Town had any liability if we did not plow sidewalks in subdivisions, even though the Town's regulations require them. I have, in fact, requested Town Counsel's opinion and will forward his opinion to the Board as soon as I receive it. In addition, the Board requested that we investigate other Towns to see how they handled this issue. We also looked at our current regulations to decide if we wanted to recommend a clarification to them. During our review, we found a decision made by the Board in 2008 that set forth the policy. Specifically, the Board adopted the following policy:
 - I. Purpose and Scope: It is recognized by the Board of Selectmen that for public safety reasons certain sidewalks located in the public way must be cleared from time to time of snow and ice. It is understood that the Town will not be responsible for clearing all sidewalks and to the extent that reasonable property owners should clean snow and ice from sidewalks located in front of their homes or businesses. It is especially important for citizens work with the Town to maintain free and easy access to hydrants.
 - II. Policy: The Board accepts and adopts the attached map detailing sidewalks that are currently cleared of snow and ice by the Groton Highway Department (map attached to this report).

We also reviewed regulations from the following Towns:

Pepperell: No policy on sidewalks

Ayer: The DPW clears snow and ice from sidewalks on major pedestrian routes in Town. Clearing snow and ice from other sidewalks is the property owner's responsibility. Please assist us with clearing sidewalks in a timely manner.

Brookline: Snow and Ice - Removal from Sidewalks The by-law requires property owners to "maintain sidewalks contiguous to their property in a non-slippery condition suitable for pedestrian travel by clearing all snow and ice from a pathway at least thirty-six (36) inches in width". The Town of Brookline will continue to enforce this by-law to ensure the safe passage of pedestrians within the Town. Single family and residential buildings occupied by fewer than five families must comply with this by-law within 30 hours of a storm's end. Multi-family property owners and businesses must comply within 3 hours. If you fail to comply with the Town's sidewalk by-law, you could be issued fines ranging from \$25.00-\$100.00 per day.

Continued on next page – Over >

**Select Board
Weekly Report
December 10, 2018
page three**

5. **Continued:**

Littleton: No policy on sidewalks

Townsend: No policy on sidewalks

Westford: The Town of Westford does not perform winter maintenance on sidewalks. Residents are encouraged to clear sidewalks in front of their property.

Our current Highway Snow Policy reads as follows: *Sidewalk Policy - The Town maintains the sidewalks in the town center area and the West Groton area. These are cleared as soon as time permits after the roads are plowed. Should Town Counsel provide an opinion that the Town has no liability, I would suggest that this policy be amended by adding the following sentence to the end of the current policy: Clearing snow and ice from other sidewalks is the property owner's responsibility. Please assist us with clearing sidewalks in a timely manner. We can discuss this in more detail at Monday's meeting.*

6. It is that time of year for the Board to issue their annual licenses. Enclosed with this report is a list of the licenses that need to be renewed. As is our practice, I will read them in to the record and request that the Board vote to issue the various licenses.
7. Enclosed with this report is a summary of the Goals discussed at last week's meeting as prepared by Select Board Member Manugian. I would request that the Board take some time at Monday's meeting to review and finalize your goals for Calendar Year 2019.

MWH/rjb