

Groton-Dunstable School Building Committee Meeting Minutes

February 9, 2021

Web-based Virtual Meeting - 6:00 PM

Join the Zoom meeting:

<https://us02web.zoom.us/j/88410845561?pwd=SkFETTFiSkNtaDdnRDZsVzMzS0hwQT09>

To dial in by phone: +1 646 558 8656 US

Conference ID: 884 1084 5561

School Building Committee [SBC] Members Present/Absent [6 voting members required for a quorum]

Committee Member	Present	Absent	Late [time arrived]
Fay Raynor	✓		
Mark Haddad	✓		
Alison Manugian			✓ 6:03PM
Luke Callahan	✓		
Brian O'Donoghue	✓		
Dr. Laura Chesson			✓ 6:04PM
Colby Doody	✓		
Marlena Gilbert	✓		
Jake Lewon	✓		
Sherry Kersey	✓		

Guests: Michael Bouchard [Town of Groton], David Saindon [Leftfield], Eileena Long [Leftfield], Brian Dakin [Leftfield], Gail Sullivan [SGA], Meryl Nistler [SGA], 1 Member of the Public

1. Call meeting to order:

Ms. Raynor called the School Building Committee [SBC] meeting to order at 6:01 PM.

2. Vote to approve meeting minutes:

MOTION

Mr. Haddad made a motion to approve the 01/26/2021 meeting minutes. The motion was seconded by Ms. Gilbert and approved 8-0-2-0 (yes-no-absent-abstained) via roll call vote:

Committee Member	Yes	No	Absent	Abstain
Fay Raynor	✓			
Mark Haddad	✓			
Alison Manugian			✓	

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Luke Callahan	✓			
Brian O'Donoghue	✓			
Laura Chesson			✓	
Colby Doody	✓			
Marlena Gilbert	✓			
Jake Lewon	✓			
Sherry Kersey	✓			

3. Vote to Approve Invoices & Commitments:

January 2021 Invoice Package

MOTION

Mr. Haddad made a motion to approve the January invoice package which contains Leftfield invoice for OPM Services for January 2021 in the amount of \$2,929; Studio G Architects Invoice for January 2021 for Schematic Design in the amount of \$4,000 and Studio G's Traffic Study in the amount of \$10,000. The motion was seconded by Ms. Gilbert and approved 8-0-2-0 (yes-no-absent-abstained) via roll call vote:

Committee Member	Yes	No	Absent	Abstain
Fay Raynor	✓			
Mark Haddad	✓			
Alison Manugian			✓	
Luke Callahan	✓			
Brian O'Donoghue	✓			
Laura Chesson			✓	
Colby Doody	✓			
Marlena Gilbert	✓			
Jake Lewon	✓			
Sherry Kersey	✓			

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4. **Designer / OPM Updates:**

- a. **Schematic Design [SD] Update:** Mr. Saindon confirmed that on 02/04/2021 the Inspector General's office approved the project to move forward with Construction Manager At Risk (CMR) Delivery Method for the Florence Roche Elementary School Project.

5. **Town Clerk Presentation:** The Town of Groton Town Clerk, Mr. Bouchard, provided an overview of the attached handout for the Campaign Finance Law in preparation for Groton Spring Town Meeting 2021 ballot question regarding the Florence Roche Elementary School Project. Mr. Bouchard confirmed that public officials cannot use public resources to promote a stance on a ballot question. Mr. Bouchard confirmed public resources include email, paper, public employees time on the job, etc. Mr. Bouchard stated that the line is drawn at passive vs. active. Mr. Bouchard confirmed the law prohibits the School Building Committee from taking project documentation and sending out a mass email out to the public, however these documents can be emailed to a public person if the public person requests it from a public official. Mr. Bouchard stated that a Ballot Question Committee can be formed as a private group, public officials can be a part of that group, however, public officials cannot take part in fundraising activities and soliciting funds. Mr. Bouchard confirmed that the only restriction is on the soliciting of money as a public official, it does not restrict if a public official donates. Mr. Bouchard confirmed that the Florence Roche Elementary School project website must be factual and not promotional. Mr. Bouchard stated that if any School Building Committee member feels that they are in a grey area when it comes to the passive/active line on this law they should seek legal advice. Mr. Bouchard stated that the Campaign Finance Law becomes active once an official ballot question is submitted by the Select Board to the Town Clerk. Mr. Haddad stated that on the night of the Public Hearing on 03/15/2021, he plans on requesting that the Select Board submit the Florence Roche Elementary School project ballot question to the Town Clerk.

6. **Look-ahead Project Schedule/Work Plan:** None

7. **Communication / Outreach Update:** Ms. Gilbert updated the SBC that project communication and outreach are on schedule and going as planned. Mr. Haddad

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updated the SBC that he had provided some debt service numbers to the SBC, he thanked Ms. Kersey for providing updated debt service numbers for the School District. Mr. Haddad stated that he will provide an updated spreadsheet with excluded debt numbers for the School District lowering their exclusion.

8. Public Comment: None

9. Adjourn

Mr. Haddad made a motion to adjourn the meeting at 6:30pm; the motion was seconded by Ms. Gilbert. Ms. Raynor decreed that the meeting is adjourned.



The Commonwealth of Massachusetts
Office of the Inspector General

GLENN A. CUNHA
INSPECTOR GENERAL

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February 4, 2021

Mark Haddad, Town Manager
Town of Groton
173 Main Street
Groton, MA 01450

Dr. Laura Chesson, Superintendent of Schools
Groton-Dunstable Regional School District
344 Main Street
Groton, MA 01450

**Re: Application to Use the Construction Management At-Risk Alternative
Delivery Method for the Florence Roche Elementary School Project**

Dear Mr. Haddad and Dr. Chesson:

On January 13, 2021, pursuant to M.G.L. c. 149A and 945 CMR 2.00, the town of Groton and the Groton-Dunstable Regional School District (Awarding Authority) submitted an application to use the construction management at-risk (CM at-risk) alternative delivery method for the Florence Roche Elementary School project.

Based on all the information provided, the Awarding Authority has met the statutory requirements for using the CM at-risk delivery method. Accordingly, the Office of the Inspector General (Office) is issuing this notice to proceed to use the CM at-risk delivery method as specified in M.G.L. c. 149A, §§ 1-13, and to use the plan and procedures submitted.

This approval is conditioned on the Awarding Authority using a CM at-risk firm that the Division of Capital Asset Management and Maintenance (DCAMM) has certified, as well as DCAMM-certified trade contractors. Therefore, the Awarding Authority must require each CM at-risk firm to supply both a certificate of eligibility and an update statement during both the prequalification phase and the technical proposal phase of the selection process. In addition, the Awarding Authority must require each trade contractor to supply a certificate of eligibility and an update statement during the prequalification phase and again at the bidding phase of the selection process. The Awarding Authority must reject as invalid all contractors' statements of qualifications, proposals and bids that do not provide such certificates of eligibility or update statements.

Mark Haddad, Town Manager
Dr. Laura Chesson, Superintendent of Schools
February 4, 2021
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If, during the course of the project, the Awarding Authority changes its owner's project manager or designer, please submit information about the new project manager or designer to the Office. Also, if the Awarding Authority decides not to proceed with the CM at-risk delivery method, please notify the Office.

Please feel free to contact me or Mary Kolesar, Senior Policy Analyst, if you have any questions or concerns.

Sincerely,



Glenn A. Cunha
Inspector General

cc: David Saindon, Project Executive, LeftField, LLC

Question

What may the School Building Committee do to advocate for the building of a new elementary school?

Background

The Florence Roche Building Committee has asked for advice regarding its ability to advocate with respect to a potential ballot question which will ask to override Proposition 2 ½ for the purpose of building a new school building. The Committee's work to date has been to interface with the Massachusetts School Building Association, and manage the definition of the proposed building and the bid processes for its design and construction.

The Committee is composed of paid public employees , elected officials and appointed officials. The Committee was appointed by the elected Regional School Committee.

The ballot question has yet to be defined and submitted to the Town Clerk for inclusion on the ballot. The deadline for submission is April 20. There will be a warrant article at the May 1 Town Meeting , which if passed, will effect a vote on the May 25 Town Election ballot.

Guidelines for Advocacy

The Committee may do the following activities with respect to the ballot question:

- Publish materials about the ballot question, including advocacy for the ballot question
- Analyze impacts; make recommendations to the public
- Produce position documents regarding the ballot question
- May make these documents available to the public in a "passive" mode (see the "may not" section). For example, the documents may be posted to an appropriate website (please also see "may not" below), copies of the documents may be distributed upon request and made available for the public at official meetings.
- May respond to requests for information and documents; may use a publically funded email system to do so
- Address issues
- Hold information forums
- Speak to the press
- Advise the public as to the time and place of an election

The Committee may not:

- Use public resources to engage in a campaign to influence votes about a ballot question. Public resources include paper, email, personnel time, phones, etc – anything paid for by taxpayers). The appearance of the use of public resources should be avoided.
- Distribute advocacy documents , even if trying to be objective and neutral, by unsolicited and mass distribution, such as mass emailings, mailings, publically funded newsletters, flyers being sent home with students, etc.

- Take out ads
- Websites should not take on the appearance of a campaign to pass or defeat a question. For example, the posting of documents is a legitimate activity, but the website should not be highlighting “Vote for ____” in its messaging and general appearance.
- Use public resources to mass produce documents, even if for private distribution
- Fundraise or solicit fundraising in any form (even bake sales, solicit funds to be donated to a ballot question committee, etc)

Committee Members are bound to the above in their public duties, but may be involved in private activities:

- May join a ballot question committee, but not as a treasurer
- May contribute to a ballot question committee
- May not fundraise or solicit fundraising for/against the question or for the ballot question committee

Resources

It is recommended that Committee Members review these resources on this topic.

- OCPF tutorial (YouTube; 3:45): Use of Public Resources for political purposes: <https://www.youtube.com/watch?v=MaamQil8E68&list=PLjg1OsRbioqAOXh73YdjMBJrbaKMleZ90&index=2>
- OCPF Interpretive Bulletin OCPF-IB-92-02 Activities of Public Official in Support of or Opposition to Ballot Questions: <http://files.ocpf.us/pdf/legaldocs/IB-92-02.pdf>
- OCPF Campaign Finance Guide - Municipal Ballot Question Committees: <https://ocpf2.blob.core.windows.net/pdf/guides/guidemunibq.pdf>. This will give the reader a good idea of what’s involved in a ballot question committee (BQC). Note that the Building Committee may not form or participate in a BQC, but individual members may, with some restrictions.

If you have further questions about guidelines, please contact Mike Bouchard (978-448-1100; mbouchard@grotonma.gov) or the Office of Campaign and Political Finance (617-979-8300; OCPF@cpf.state.ma.us)