

**BOARD OF SELECTMEN
FEBRUARY 25, 2002
REGULAR SESSION MINUTES
APPROVED**

Present: Chairman Peter S. Cunningham, Clerk Dann Chamberlin, Member Thomas P. McCuin, Jr., Administrative Officer Jean E. Kitchen and Administrative Secretary Doris T. Wheeler.

The meeting was called to order at 7:05 PM.

TOWN FOREST COMMITTEE & WEST GROTON WATER DEPARTMENT

Present for the discussion were Superintendent of the West Groton Water Supply District (WGWSO) Gordon Newell; W. Groton Water Commissioners; Groton Water Commissioners, Mark Patnode, Chris Kelley, Larry Swezey; Groton Water Superintendent Tom Orcutt; and Town Forest Committee members Steve Collette and Harlan Fitch.

Mr. Collette disclosed that he was a member of the Town Forest Committee, employee of the Groton Water Department and had an interest in the WGWSO, so he had a conflict of interest. He excused himself from the meeting.

Mr. Fitch said there were two questions that the Town Forest had. 1. Who had the authority to grant exploration rights to the WGWSO? 2. What would be the procedure to transfer the ownership or control of a section of the Town Forest to the WGWSO? Mr. Fitch said he had no problem with the WGWSO exploring for a well site in the Town Forest, but had concerns about where the well would be placed.

Mr. Newell said the WGWSO had been looking for a suitable well site in W. Groton. He listed some of the areas they drilled in W. Groton, none of which were favorable. He said he was looking for a commitment from the Board of Selectmen that if the WGWSO should be granted the right to drill, and if water were found, would the Selectmen have a problem with the WGWSO getting the water out of there. They had previously found a good site for water, invested a lot of money and found out they were not allowed to pull water from the site. Mr. Cunningham said he noticed that where the WGWSO was looking was opposite from where the Groton Water Dept. looked for a well site.

Town Counsel's opinion was that the Town Forest Committee had the authority to permit exploration within the Town Forest for identification of water supply sources. Subject to any restrictions on the Town's title to the land, transfer of ownership or control of a portion of the Town Forest to the District for water supply purposes may be accomplished by agreement between the Town and the WGWSO following a vote of the Town Forest Committee, pursuant to MGL Ch. 40, Sec. 15A, that the portion in question is no longer needed for forest purposes and a vote of Town meeting authorizing a transfer of custody to the Selectmen and a transfer by the Town to the WGWSO of lease hold or other appropriate rights for establishment of a water supply source. It would also take an act of the State Legislature. Mr. Newell said the WGWSO was not looking to own the land.

In answer to the request for a commitment from the Selectmen, Mr. Chamberlin said that if a viable well site were found he would want to know what location in the Town Forest it was and what the impact would be. He was aware of the Town's growing need for fresh water. If it could be brought on line without a highly negative impact on the Town Forest, he would be open to it, but it was hard to give a blanket commitment at this time.

Mr. McCuin said that Town Counsel also said the WGWSO was authorized to take, by eminent domain, water sources of the District for water supply purposes.

Mr. Cunningham asked Mr. Fitch if the Town Forest Committee thought about the potential impact on the Town Forest. Mr. Fitch said the Committee had not talked about the impact yet. He reiterated that the Committee had no objections to the WGWSO exploring. He asked what would happen once a good site was found. He was told that the use would be constricted if used for a well site. There would need to be an electric pump and roadway to get out to the nearest main and some improvements would need to be made to the potential trail that would be used.

Mr. Newell said that the water line would run down the existing trails and the electric lines would be buried. Hydrants would also be installed. The water line doesn't have to be in a straight line. There would be no need for daily access. He

understood that this would be a big process, but the WGWS D wanted a commitment from the Selectmen to get the water out of there if they located a site in the Town Forest. Mr. Cunningham said that if a source was identified, of course they would need to be able to get the water from the well site. He said that the need for fresh water in that area would have to be counterbalanced by the potential impact. He could not make a commitment at this point beyond allowing the WGWS D to explore the Town Forest. This may be outside the four corners of the uses agreed to for the site by the former owners.

Mr. McCuin agreed that it was premature to talk about committing to this, but it was not premature to start the discussion. He said the exploration and the discussion on what would happen if the source was found should happen concurrently.

Mr. Chamberlin said that the WGWS D's commitment to following existing trails and putting the wires underground would enhance the attractiveness of agreeing to this as a well site.

FIRE DEPARTMENT BUDGET

Fire Chief Joe Bosselait presented his proposed budget. The budget request showed a global increase of 2%. He had no line item for an article for Town Meeting yet for the Fire Station. The following were the minor Capital items he included in his proposed budget:

\$10,000 - Protective Turn-Out Gear

\$10,000 - Portable & Mobil Radios on Apparatus

\$10,000 - Upgrade SCBA (air) Packs

\$20,000 - Refurbishment of Apparatus

Mr. McCuin asked if the Chief could still do his job with a 2% increase, keeping in mind that people were complaining about not having enough coverage. The Chief said he was waiting for the committee researching this to come up with a recommendation regarding full-time coverage.

BOARD OF HEALTH JOINT ELECTION

Present were Board of Health members Dr. Susan Horowitz (acting Chair) and Jodi Deuger, and candidates Matthew Waterman and Frank Mastrangelo. The candidates were interviewed. Both candidates had taken out papers for the election of this position and were qualified candidates. Mr. McCuin noted that Mr. Waterman worked for Landtech, so would potentially have to step down from some discussions due to an appearance of a conflict of interest. Mr. Waterman did not see that as a problem. He was aware of the potential conflict of interest and would act accordingly.

Mr. Cunningham moved the nomination of Matthew A. Waterman and Frank A. Mastrangelo to fill the unexpired term as a member of the Board of Health, term to expire May 20, 2002. The motion was seconded and voted unanimously.

Vote: Cunningham – Waterman, Chamberlin - Mastrangelo, McCuin - Mastrangelo, Horowitz - Waterman, Deuger - Waterman

SQUANNA COOK SPORTSMAN'S CLUB

The Squannacook Sportsman's Club is offering the club and 7 acres of land to the Town for \$10,000. The funds for the sale of the property would be donated to a scholarship fund.

The Town would need to determine how the building would be used, or if it should be demolished. The cost estimate for the design and installation of a septic system would be about \$20,000. Bob Overton, Nashoba Associated Boards of Health, said that if the use stayed the same the septic system would have to be upgraded. He suggested that if the Selectmen were not sure what the use would be, they should do nothing, rather than tearing it down, because it would be considered new construction rather than a repair. Either way, there would need to be a new septic system put in because of the condition of the present system for any use that would require an occupancy permit.

Hugh McLaughlin, abutter to the property, said he did not recommend bringing the building up to code. He did not think it would be worth it.

Recreation Director Liza Judge said the building was valuable. She said that it may not be worth a whole lot, but certainly it would be better than building from scratch. It could be jointly used with the Senior Center. She said it could be used for recreation purposes. She has had to cut back on programs in order to add new programs because of lack of space. She admitted that it was not in great condition, but it would be actually good for the programs she had in mind for the children.

They would not have to worry about things like ruining a new rug with messy projects, etc. Jean Temple, Council on Aging, said the COA looked at the building, which did not look like something it would be able to use, although the land between the center and the building lent itself to being useful as a picnic area with tables, etc.

Alicia Hersey, Housing Authority, said the Authority was looking for a site for 6-10 units, and as little as 2 units. She said that the high groundwater might be a concern. Mr. Cunningham said that of the 7 acres, a lot of it was wetlands. The current building would not be something the Housing Authority would be looking for. Anytime there is land available in Town, the Housing Authority looks into it. Theresa Ragot, Housing Partnership, asked if there was a possibility of more than 1 use of the property by subdividing for affordable housing and recreation. Mr. Cunningham said the portion that is not buildable would have to be considered. Ms. Kitchen said there was no frontage to the property. Ms. List, an abutter said she contacted the Natural Heritage for Endangered Species. She noted that passive use would be allowed as a park with benches perhaps. She said that the area was used by several species currently that would be disturbed. Mr. Cunningham thought that did not exclude the municipal uses that were being discussed, i.e. recreation or senior use. Ms. List thought that the money could be better used to add on to the Senior Center rather than throwing it into this building.

Marion Stoddart suggested that the pond could be used for skating in the winter.

Mr. Chamberlin said it would be foolish to pass up buying the parcel. He said it maybe a viable building to bring up to code, rather than building something from scratch. The need for space is out there. Mr. McCuin agreed it was worth buying the parcel, but thought the building should be taken down, especially with the new wetlands bylaw that was passed last year. Giving the constraints of the lot he did not see any way a new building could be put up. He agreed that a picnic area would be a great use.

The Conservation Commission will be asked about the wetlands issue. This will be an article at the STM within the ATM.

LIBRARY PEDESTRIAN PASSAGEWAY

The passageway talked about would be for a cut-through to get to the playground from Main Street. The Library Trustees talked about building a walkway along the north side of the Library. They have a consultant looking at the possibilities. It is included as a Minor Capital item in the Library's FY03 budget.

C.W. SMITH FOUNTAIN COMMITTEE

Owen Shuman was present for the discussion. She said that the Wharton Fountain Committee had created a park outside the Town Hall. She noted that Lorraine Black, a landscape architect expertise, donated many hours. She also commended the other Committee members for their volunteer work. The Committee recommended naming the park the Constance Wharton Smith Park.

Mr. Chamberlin moved to name the new park outside the Town Hall the Constance Wharton Smith Park. The motion was seconded and voted unanimously.

COUNTRY CLUB & RECREATION AUTHORITY (CCRA)

Lease Renewal & FY03 Budget

CCRA members Howard Hersey and Joan Hutchinson, as well as the Country Club Director Brad Durrin were present. The Budget was presented to the Board. Chairman Hersey said the CCRA would like to increase the lease amount from \$65,000 to \$70,000 as a fixed amount over the next 7 years. Mr. McCuin said that the spreadsheet that was presented did not show where the net income from the previous year went. He was told that would not show on a profit and loss statement, which is what the Selectmen had in front of them. (Although the title on the top of the page said, "Groton County Club Authority Budget".) The full accounting system would show that. Mr. McCuin will attend the next CCRA meeting. More detail will be made available as a Town Meeting handout.

Mr. Chamberlin moved to renew the Lease Agreement by and between the Town of Groton and the Groton Country Club and Recreation Authority, terms to remain the same as the previous contract with the exception of #4 changing the lease amount from \$65,000 to \$70,000, term to expire at midnight on December 31, 2005. The motion was seconded and voted unanimously.

PERSONNEL BOARD

The Personnel Board members were present for the discussion. They were asked to look at the salary of the Fire Chief, Police Chief and the Admin. Officer. Chief Mulhern was also present.

The survey showed a range from \$48,716 – 59,914 for the Admin. Officer's position. The Fire Chief salary did not reflect last year's COLA, so that needed to be checked. What the Personnel Board submitted was a collection of information of these contractual positions. At least 2 of the 3 positions in Groton were somewhat low.

Mr. Chamberlin said it was important to pay the going rate for the good people the Town had.

OTHER BUSINESS

Increase Greenway Committee Membership

There are 2 vacancies and 4 people interested in being members, so the Committee asked if the membership could be increased by 2. The Greenway Committee will be invited to attend the next meeting to justify the increase.

Selectmen's Rep. to the Station Avenue Directions Advisory Committee

Mr. Chamberlin moved the appointment of Thomas P. McCuin, Jr. as a member of the Station Avenue Directions Advisory Committee, as the Selectmen's representative, term to expire June 30, 2002. The motion was seconded and voted unanimously.

Council on Aging - Amend Expiration Date

It had come to the Selectmen's attention that Mr. Thompkins was appointed in June with the wrong expiration date. He was filling an unexpired term.

Mr. McCuin moved to amend the appointment of Elbert L. Thompkins as a member on the Council on Aging, the term to expire June 30, 2002, instead of 2004 as originally voted on July 18, 2001. The motion was seconded and voted unanimously.

Reject Fire Station Preliminary Plans for Architectural Proposals

Mr. McCuin moved to reject all bids for the Fire Station Architectural project, due to a problem with the bidding process. The motion was seconded and voted unanimously.

Appoint Alternate Electrical Inspector

Building Commissioner Mike Tusino requested adding an Alternate Electrical Inspector for the purpose of responding to fire scenes, to assist the Fire Dept. in determining the cause of electrical fires.

Mr. Chamberlin moved the appointment of Edward Doucette as an additional Alternate Electrical Inspector, term to expire June 30, 2002. The motion was seconded and voted unanimously.

Minutes

Mr. Chamberlin moved approval of the February 11, 2002 regular session minutes. The motion was seconded and voted unanimously.

Mr. McCuin moved approval of the February 11, 2002 executive session minutes. The motion was seconded and voted unanimously.

ADMINISTRATIVE OFFICER REPORT

MMA Regional Meeting

Ms. Kitchen reminded the Selectmen of the upcoming MMA regional meetings and asked them to let her know if they were interested in attending so she could register them.

Lost Lake Chemical Treatment

Ms. Kitchen said she would be getting an abutters list for Lost Lake for the purpose of sending out notices regarding the chemical treatment of Lost Lake. There are over 300 abutters. The Conservation Commission is checking with DEP into the possibility of hand delivering the notices rather than sending the notice by certified mail, because of the expense. Splitting the cost with the Groton Lakes Association is a possibility.

Boy Scout Flag Project

Jared Wayne is doing his Eagle Scout project on obtaining 58 flags, poles and pole holes for W. Groton. He will raise the funds needed. Tom Delaney will build the holes.

Rizvi Lawsuit

Mr. McCuin asked about the revitalized Rizvi lawsuit. He asked where it was going. He was told that the Court ruled in

favor of the Town. The Board of Health has not gotten permission to go back through the house to correct anything.

School FY03 Budget

The GDRSD will be hold a meeting at the High School Wed. to go over its budget. The Finance Committee and Selectmen of Dunstable and Groton were invited to attend.

Nashoba Valley Technical High School

NVTHS will be holding a breakfast meeting on March 8 to go over its budget for FY03.

ADJOURNMENT

At 10:00 PM Mr. Chamberlin moved to adjourn. The motion was seconded and voted unanimously.

Approved: _____
Dann Chamberlin, Clerk

Respectfully Submitted,
Doris T. Wheeler
Administrative Secretary