

**BOARD OF SELECTMEN**  
**JULY 1, 2002**  
**REGULAR SESSION MINUTES**  
**“APPROVED”**

**Present:** Chairman Dann Chamberlin, Clerk Thomas P. McCuin, Jr., Member Peter S. Cunningham, Administrative Officer Jean E. Kitchen, Administrative Secretary Maria Casey.

The meeting was called to order at 7:00 p.m.

At 7:00 PM, the Board of Selectmen (BOS) met with Park Commissioner Don Black to clarify who has the authority to grant use of commons. The Commission is responsible for the maintenance, upkeep of storage sheds and buildings and lawn care maintenance. The Park Commission has the availability of the proper equipment, with the assistance of Tom Delaney, to maintain the commons.

Mr. Chamberlin read from the Committee Charge “In 1953, its membership was increased from three to five, when the existing Playground Committee was discontinued and the Commission assumed its duties.” Ms. Kitchen remarked that the bylaw is silent based on previous commission a/k/a playground committee.

Mr. Cunningham concurred that the Park Commission was most familiar with parcels, etc., and should have protocol for field use. Mr. Black had approached Ms. Kitchen when it appeared that yard sales, etc. were getting out of hand. Mr. Black’s involvement, as well as the Field Use Permit application will help alleviate this. Mr. Cunningham recommended that Ms. Kitchen could draft an administrative order to be adopted but also hopes that ongoing events will be continued as in the past, such as Grotonfest 2002, 350<sup>th</sup>. Mr. Black assured that they would and that in fact he was on the 350<sup>th</sup> Anniversary Committee.

Mr. Black stated that he and the 350<sup>th</sup> Anniversary Committee is soliciting volunteers to work on the committee and that the committee has a website for any interested residents.

Any requests for Legion Hall facility still need permission from the Board of Selectmen (BOS) and that they don’t allow any food in the facility or any type of activity that would involve painting.

*Mr. Cunningham moved that the Administrative Officer draft a policy that designates the Park Commission authority over commons. Mr. McCuin seconded. Unanimous vote.*

Mr. Black remarked that the Field Use Permit applications could be obtained from Town Clerk’s office. He plans to make a comprehensive list of commons, town fields, and etc. to have available.

Ms. Kitchen questioned whether the 350<sup>th</sup> Anniversary Committee was linked to the town’s website. Mr. Black was unsure. Ms. Kitchen said she would see that a link be provided.

On another unrelated matter, it was questioned what the 350<sup>th</sup> Anniversary Committee’s Town Gift scenarios were. The article in the amount of \$50,000 for engineering services for the burial of wires along Main Street was defeated at Town Meeting. Mr. Chamberlin thought that in order for this effort to go forward one or more viable scenarios of how this project will be financed is needed. Was a portion of the gift going to be donated towards that effort?

Mr. Black stated that time is of the essence now. He felt that it was not feasible timing now to move those wires underground with 350<sup>th</sup> Anniversary only two and a half years away. He felt that the town would begin after the 350<sup>th</sup>. Mr. McCuin questioned whether or not the part right in front of Legion Common could be done prior to the 350<sup>th</sup>. Mr. Black remarked that they would need to bury 100’ of cable, coordinate the telephone, cable, fire alarm, transformers, along w/ engineering, which was a tremendous amount of work and coordination and that the Committee

was in favor of the project after the anniversary.

Mr. Black said that a budget would be drawn in December of this year. He was not sure of the contribution gift amount; however, he thought figures of \$50,000 were speculated for the engineering portion alone of the underground wires. It was stated that Mr. Beeltje had estimated a figure of \$1,000,000 to \$1,250,000 for the whole project.

### **EAGLE SCOUT PROJECT – JARED WAYNE**

Jared Wayne was unable to attend the Selectmen's meeting so Ms. Kitchen updated the Board regarding his Eagle Scout Project.

Jared has raised approximately \$830 for this project and is still looking for donations.

The project includes resetting holes for approx. 60 flags flown. The Board of Selectmen was going to donate \$1,000 from the previous monies collected from the Flag Fund to add to his donations. Jared now has enough sponsors for the flags themselves. The additional monies are for the poles, the flag hardware needed to hang, etc. The flags are nylon.

The flags will be hung along West Groton center from the Fire Station around by post office. Tom Delaney will be assisting with the drilling of the holes.

### **ONE-DAY LIQUOR LICENSE**

*Mr. Cunningham moved to approve a One-Day Liquor License for Barbara Scofidio to serve wine for an opening of a new gallery, NOA, at 113 Main Street on Friday, July 5<sup>th</sup> from 7:00 p.m. to 9:00 p.m. Mr. McCuin seconded. Unanimous vote.*

### **TEMPLE DRIVE**

At 7:30 p.m. the Board discussed parking issues on Temple Drive with Representative Hargraves. Fire Chief Bosselait and Police Chief Mulhern were also in attendance for this portion of the meeting.

Mr. Chamberlin stated that cars have been parking in the turnaround at Temple Drive while accessing the rail trail. "Parking in the turnaround negates its use as a turnaround," he had stated. He had taken his own personal onsite test run in his vehicle on Temple Drive. He said that the turn was very tight.

Representative Hargraves has also had great concerns with this road. Collectively, there were 10 children living on and some 17 grandchildren visiting that road often. He had mentioned that perhaps we put a ban on trucks using Temple Drive, the same as Champney Street. He felt it was important that the cul-de-sac be kept clear at all times.

Mr. Chamberlin read into the record a letter submitted from Mr. & Mrs. James Antonellis, 13 Temple Drive (letter attached). This letter forbids all parking access which is an entirely different issue.

Police Chief Mulhern has a concern anytime the Town restricts public parking on a public way. Groton is not a town that goes for a large percentage of no parking areas. The reason that parking is limited in town is because we don't have any large parking areas in town. He felt that this is not a new issue with other areas of town. The issue is the rail trail, the same issue as other neighborhoods. He is against prohibiting parking but is also looking at the public safety issue. That is the cul-de-sacs are not posted, which creates another issue for trucks going down those roads. A trucking going down that way cannot make the turnaround. He is against prohibiting parking on the street itself and the Police Department has no comment on the rail trail.

He suggested considering posting a No through sign only at the beginning of Temple Drive and no parking suggested in the cul-de-sac and no other place and then suggested visiting other areas of town that also have cul-de-sacs this

size.

Fire Chief Bosselait said that the cul-de-sac is tight. He was able to make a 3-point turn with no vehicles parked around the cul-de-sacs. He noted that there was water at end of Temple Drive, which could be a second source for fire suppression. There are hydrants in that area. The second water source is seasonal; however, you could post the area as a fire hydrant source. A hydrant is 1000' off of the last house near Peabody. Chief Bosselait felt that the cul-de-sac is really a limited turnaround and not a cul-de-sac.

Mr. McCuin agreed with Chief Mulhern. He would not be comfortable with No Parking on Temple Drive and was more comfortable with keeping cul-de-sac open.

*Mr. Cunningham moved that a "No Through Street" be posted at the intersection of Temple Drive and Peabody Street and post a sign in the cul de sac "Prohibit Parking. Mr. McCuin seconded. Unanimous vote.*

Chief Mulhern will coordinate with Highway Surveyor Tom Delaney.

### **LOST LAKE WEED MANAGEMENT DISCUSSION**

Mr. John Diezemann from the Lost Lake Association (LLA) was in attendance for this portion of the meeting.

Mr. Cunningham had requested this on the agenda. The BOS were looking at the weed management issue and were looking at the total issue. He felt that perhaps selecting a group to study different methods and issues and ultimately settle on weed management would be the best approach. He felt that the present experience, although not totally complete, was acceptable and that thus far the preliminary results are successful. He reiterated that this was not a "one-time fix."

Mr. Chamberlin felt that the BOS were being demonized as environmental barbarians dumping harmful chemicals in waterways, and that was hardly the case. He stated that the LLA did take people out on boats to see serious weed problem, despite weed harvesting that had been done. The problem was getting worse not better. The Board had had a live TV presentation, by Bill Eger, on the application. Bill is not a scientist; however, he is trained to read and interpret technical literature and the Board was convinced that diquat could be used with minimal risk. Mr. Chamberlin felt that no one came forward during the weeks subsequent and said we were misled. The BOS relies on others' expertise and no one came forward. At the last minute, the BOS were urged to delay it and an opponent who admitted to be opposed to all applications of herbicide approached Mr. Chamberlin. This herbicide has a track record for 50 years in a number of bodies of water. He felt that with all this data, the risk level was acceptable. He wanted the town to be calm about this application not be taken in by scare tactics.

Mr. McCuin agreed and felt that the most egregious misconception was that water sample testing was done without town's oversight. He claimed that was purely without basis. Not only was Water Department present on board when the water samples were drawn but also the Administrative Officer was present on board as well as Conservation. The Water Dept is also doing an independent study on its own. He wanted it stated for the record that this is not the first time a chemical has been put in the lake. He said that according to the EPA, the maximum allowable level "for swimming water" is 2,000 parts per billion and that there was no danger to the drinking water supply. In the 3 days between tests, the level had dropped down to 17 parts per billion.

Mr. Cunningham added that during the period that diquat was applied, there was a physical barrier put up to prevent residents from going into the water. Mr. Cunningham feels confident that the test results from water department will prove that this herbicide was clearly an appropriate weed management strategy. But he also added that some thought should be given to looking at integrating this experience with past experiences and includes people in process and look at future handling of the whole process.

Mr. Chamberlin felt that the Board did provide a forum for the public to be heard when the presentation was given in January (2002, the 28<sup>th</sup>).

This plan also calls for spot applications afterwards.

Mr. Diezemann felt it important that the LLA have tools at their disposal. He remarked that if there's no evidence that milfoil has died down that spot treatments would be a wise approach. Early summer is the optimal time, especially before school gets out and there's increased activities in the water. He thought that in all probability spot treatments will not be needed before next June and that things are in a good holding pattern.

Dr. Susan Horowitz, Chairman of Board of Health, also joined in on the discussion. She was concerned specifically with Whitney Well and some private wells at the lake. She felt it critical that public health and the wells need to be addressed to allay people's fears. She felt that a Risk Assessment by a qualified professional needs to be done. She's heard that there are residents with wells 8' from the lake and some that are only 8' deep; however, she does not have specifics on the residents as they won't come forward.

Mr. Diezemann said that the private well could be tested if someone would come forward.

Dr. Horowitz felt that public health was more the important issue, not as critical as the weed management. She suggested a meeting w/ Conservation Commission, Board of Health, BOS and any interested residents at the high school.

Mr. Cunningham elaborated further on a study group with a small, multifaceted group with representation from each applicable board, no more than 6 members to work as a subcommittee to look at public information, gather results, select a consultant to study and report back. We would then be in a better position to support and defend, as we have done our homework. However, he was completely comfortable with path we are on right now, based on information. A major draw down would affect certain wells. We need to look at remediation, either extending public water or providing low interest loans to dig deeper wells. The study group could look at this option. He did not feel there was immediacy. The shape and charge needs to be looked at.

Mr. Chamberlin would be in support of this if it accomplishes something.

Dr. Horowitz supports a Risk Assessment being done. She has seen nothing that would support the drinking water being poisoned but felt it would behooves us to make the majority of residents comfortable.

Mr. McCuin agreed with the Risk Assessment however, he would want to have a neutral, out of town, consultant.

Ms. Kitchen asked how the Board wanted to handle the dissemination of information once it becomes available from the Water Department. The Water Department will be responsible for the press release, posting the information on the website.

Mr. Diezemann felt there was more of a sense of urgency regarding the drawn downs. The drawdowns can't be executed now because of well failures however they need to be planned right away if it becomes an option. He felt there was no one answer but having a combination of tools available is important.

Mr. Cunningham felt that the study group could define a strategy, plan for the draw down as well noting that there are no quick answers and reiterated that he is not suggest abandoning what we are doing now.

### **FINANCE DIRECTOR SEARCH COMMITTEE APPOINTMENTS**

The BOS reviewed the makeup of the Finance Director Search Committee. Mr. Cunningham felt that representation is well balanced. He thought having a Town Accountant from another town a good idea considering that the core function would be accounting. This would facilitate integrating finance with capital planning. Ms. Kitchen said that Town Accountant Terry Walsh from Pepperell is highly regarded and would make a good complement to the committee. Mr. Cunningham agreed.

Mr. Chamberlin supports this as well. He was pleased with the residents who submitted their names; however, the committee is only in need of two residents.

Mr. McCuin recommended that since two of the prospective members were in attendance, that we interview them and then invite the remaining three for an interview next meeting of July 15<sup>th</sup>.

Ms. Lorraine Leonard is a former employee of Groton, was in the finance department in Concord, was Town Accountant to Ashby/Ashburnham, was the chairman of the Finance Committee until June 30<sup>th</sup> and is currently the Town Accountant and Business Manager for the School in Clinton. She also is on the Retirement Board. She's very much interest in town's finances in general.

Mr. Steve Webber thought that one of the committee's critical function should be to define the job. His concern was that not enough information and focus is being put on town meeting from a financial standpoint. He is interested in the committee because he is a taxpayer. He has formed a couple of start up companies. He worked at a company managing 350 people with a \$50 million budget. He is on the Capital Planning committee.

### **MEETING w/ SCHOLARSHIP TRUST FUND** **Regarding Peter E. Bertozzi Trust & Scholarship Fund**

Ms. Kitchen reported to the Board that Attorney Chuck VanderLinden met with representatives of Squannacook Sportsman's Club and the Scholarship Trust Fund to come up with the Declaration of Trust adequate for both committees.

Mr. Underwood was not familiar with the technical details. As he understands it, Treasurer Mr. Tom Hartnett is to make the investment decisions. He stated that in making the gift, of \$113,000, he didn't want to put confining stipulations on it. He wanted it in the hands of Trust Fund Committee.

The Declaration of Trust document gives flexibility. The Trust Funds Committee appreciates the generosity and flexibility of trust fund given by Mr. Underwood and also thanked Attorney VanderLinden for his pro bono work.

Mr. Chamberlin thanked Mr. Underwood. He felt Mr. Underwood was a wonderful example of civic generosity and told Mr. Underwood "you deserve credit and tribute" for this Scholarship Trust Fund.

*PC moved to accept the Peter E. Bertozzi Trust & Scholarship Fund, on behalf of the Town, and to turn it over to the Commissioners of Trust Funds. Mr. McCuin seconded. Unanimous vote.*

The Declaration of Trust will be kept in the Town Clerk's office.

### **OTHER BUSINESS**

*Mr. McCuin moved to appoint Thomas K. Callahan to the West Groton Pond & Park Committee, term to expire June 30, 2002. Mr. Cunningham seconded. Unanimous vote.*

Mr. Cunningham inquired of Ms. Kitchen if there was update on the pond dredging. Ms. Kitchen replied that not as of yet but that the water was starting to recede. They were going to keep watch and let us know.

*Mr. Cunningham moved to approve the Regular Session Minutes of 6/17/02 as amended. Mr. McCuin seconded. Unanimous vote.*

*Mr. Cunningham moved to approve the Executive Session – 1 Minutes of 6/3/02. Mr. McCuin seconded. Unanimous vote.*

*Mr. Cunningham moved to approve the Executive Session Minutes of 6/17/02. Mr. McCuin seconded. Unanimous vote.*

Ms. Kitchen gave her Administrative Officer Report as follows:

**ZBA Hearing on Lost Lake**

The hearing on Lost Lake regarding the Building Inspector's decision to allow pesticide application will be held on Wed., July 10<sup>th</sup> at 8:30 p.m. Mr. McCuin will attend.

**Hannaford Support Letter**

In the signature file is a letter of support for Hannaford's from you to the Planning Board. Mr. Chamberlin had one suggested change from:

"We believe there are solutions to these problems, which can be implemented with the cooperation of our public safety offices that will mitigate these issues" to:

"We believe that there are **measures that can effectively address** these problems . . ."

**Conductorlab**

The two houses on the conductorlab property are slated to be demolished in July. See your packet for details.

**Corner Bound between Groton/Townsend/Pepperell**

The bound that was recently set (in front of April Melvin's mother's home) will be rest 8' underground in a manhole cover rather than extending 4' above ground.

**Sportsman's Club**

Members of the Squannacook Sportsman's club (represented by Attorney Charles VanderLinden) as well as Bayard Underwood (who is purchasing the Club property and whose proceeds will set up the trust) will be present when you discuss and sign the Bertozzi Trust Monday night. The interest from the trust can be used for a scholarship for graduating high school students who further their studies in environmental science, conservation, etc. The Trust can also be used to purchase land for conservation. The trust will be administered by the Groton Trust Commissioners.

Ms. Kitchen also updated the Board that a letter was sent to Dan O'Brien, Rail Trail Planner, requesting that the Bond not be released until all outstanding issues are resolved.

Mr. Cunningham reminded the Board that he would be on vacation the week of July 10<sup>th</sup>.

*Mr. Cunningham moved to adjourn the meeting at 9:12 p.m. Mr. McCuin seconded. Unanimous vote.*

Approved: \_\_\_\_\_  
Thomas P. McCuin, Clerk

Respectfully submitted,  
Maria Casey  
Administrative Secretary

Date Approved: July 15, 2002

Attachment