

**BOARD OF SELECTMEN
AUGUST 12, 2002
REGULAR SESSION MINUTES
“APPROVED”**

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

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

Mr. Chamberlin thanked Tom Delaney, Highway Surveyor, and his crew for a great job with both uniform signage and painting of all the pedestrian crossings. His “hats off to them.”

Mr. Chamberlin also attended the August 10th Band Concert. The Harvard Town Band played wonderful patriot medleys. He said it was great to see Mr. Don Smith there for the Smith Family Reunion. He thanked Jane Bouvier for doing a wonderful job coordinating this effort.

Mr. Chamberlin also attended the Annual Senior Picnic hosted by Senator Panagiotakos “today” at the Senior Center. He commented that it was above and beyond the call of duty for Senator Panagiotakos and his aides to be “flipping burgers in the hot sun.”

GDRSD Earth Removal Exemption

At 7:00 PM, the Board met with Building Committee Member Chris DeLuca on behalf of the Groton-Dunstable Regional School District (GDRSD), Dennis McLaughlin of David E. Ross Associates to consider and an Earth Removal Exemption. Earth Removal Inspector Michelle Collette was also present and spoke on behalf of the Earth Removal Advisory Committee (ERAC).

Mr. Cunningham moved to approve a Certificate of Exemption to the Earth Removal By-Law, Chapter 134, Section 10, for GDRSD, for the removal of not more than 5,000 cubic yards of material located on Chicopee Row, shown on Assessors Maps/Parcels 227/117, 230/46 and 229/41, to include the following conditions:

1. *No operating on site before 8:00 AM or after 4:00 PM.*
2. *Material taken off site limited to 9:00 AM to 2:00 PM when school is in session.*
3. *The roadway must be cleaned at the end of the workday.*
4. *No operating on weekends or holidays.*
5. *Applicant shall notify the Earth Removal Inspector prior to commencement of activity.*
6. *Slope of stockpiles not to exceed 2:1*
7. *Appropriate dust control measures to be undertaken. Seconded by Mr. McCuin. Unanimous vote.*

Earth Removal – George Kirk, 21 Wyman Road

Earth Removal Inspector Michelle Collette reported that the ERAC had not yet had an opportunity to site view Mr. George Kirk’s property at 21 Wyman Road.

Mr. McCuin moved to continue the request for a Certificate of Exemption to the Earth Removal By-Law, Chapter 134, Section 10, for George C. Kirk for the removal of 8,000 cubic yards of material located at 21 Wyman Road to Monday, August 26, 2002 at 8:25 p.m. Seconded by Mr. Cunningham. Unanimous vote.

Herb Lyceum - BYOB

The Board of Selectmen reviewed the request from the Herb Lyceum to grant permission to allow for BYOB. The Board of Selectmen granted permission for BYOB and is so noted for the minutes.

Lost Lake/Knop’s Pond Weed Management Advisory Committee Appointments

Mr. McCuin moved to form the Lost Lake/Knops Pond Weed Management Advisory Committee with representation from the following boards or their designee: Board of Selectmen, Conservation Commission, Planning Board, Board of Health, Water Commissioners, Groton Lakes Association and a citizen-at-large for a total of seven (7) members for a one-year term to expire June 30, 2003. The Committee is charged to research the history of weed management at the lakes, investigate current weed management methodology, mindful of the lake’s proximity to the primary water resource district, and make appropriate recommendations to the Board of Selectmen regarding weed management of Lost Lake and Knops Pond. Seconded by Mr. Cunningham. Unanimous vote.

Mr. Chamberlin will call Dr. Eger to see if he would be interested serving on this committee as Board of Selectman representative.

Mr. McCuin moved to appoint George E. Barringer, Jr. – Planning Board representative; Jodi L. Deuger– Board of Health representative and Dr. Susan H. Horowitz, alternate; Evan C. Owen – Conservation Commission representative and John G. Diezemann – Groton Lakes Association representative to the Lost Lake/Knops Pond Weed Management Advisory Committee, term to expire June 30, 2003. Seconded by Mr. Cunningham. Unanimous vote.

Sign Election Warrant for State Primary on September 17, 2002

The Board of Selectmen signed the Election Warrant for the State Primary on September 17, 2002.

Review/Approve Minutes of 7/15/02

Mr. Chamberlin and Mr. McCuin had some changes to the Minutes of July 15, 2002 and they were so noted. *Mr. Cunningham moved to approve the minutes of July 15, 2002 as amended. Seconded by Mr. McCuin. Unanimous vote.*

Early Retirement

Mr. McCuin recused himself as his mother, Beth Montgomery, is an employee of the Conservation Commission and is eligible. *Mr. Cunningham move to accept the provisions of Chapter 116 of the Acts 2002, the “Early Retirement Incentive Bill” subject to the following: Each participating employee shall be allowed to increase his/her age and/or creditable service allotment by 5 (five) years – either years of age, years of creditable service, or any combination of years of age and creditable service, so long as the aggregate additional amount does not exceed 5 (five) years. Each participating employee shall file an application for a superannuation retirement between Thursday, August 29, 2002 and Sunday, December 1, 2002 and shall have an actual retirement date not later than December 31, 2002. Seconded by Mr. Chamberlin. Vote: Two in favor (Chamberlin, Cunningham). One recused (McCuin).*

Local Building Inspector Appointment

Building Commissioner Michael Tusino was present. He advised the Board that he published for this position in two local papers – the Groton Landmark and the Lowell Sun. He received three applications and would like to present Mr. Herget as the finalist. Mr. Tusino explained that this would be a 20-hour position and would be responsible for single-family permits, additions, remodeling, pools and the like. That would allow Mr. Tusino more time to focus on zoning, commercial and enforcement. Mr. Herget stated that his experience is that he has worked with other town officials obtaining building permits. He is considered favorable by residents of the property company he currently manages. He has been looking for a position such as this for many years, however, has missed other opportunities. He told the Board that he does know the Building Codes and can interpret laws. *Mr. Cunningham moved to appoint Mr. Bentley Herget as Local Inspector at a Grade 6, Step 1.*

Special Town Meeting – Open Warrant

Mr. Cunningham moved to open the Special Town Meeting Warrant and close it for submission of articles on Thursday, August 15, 2002, at 4:00 PM. for the Special Town Meeting scheduled for September 23, 2002, at 7:00 PM at the Performing Arts Center. Seconded by Mr. McCuin. Unanimous vote.

Ms. Kitchen read dates for the Area of Critical Environmental Concern (ACEC), times and locations and it is attached.

Sign Violations

At 8:15 PM the Board met with Karl Johnson of the Sign Committee regarding Sign Violations.

Mr. Johnson requested that the BOS sign the violation notices for 601 Main Street, Groton General Store @ 871 Boston Road and 81 Forge Village Road. Mr. Chamberlin asked if the Sign Committee is considering changing the bylaw for the escalation of repeat offenders. Mr. Johnson stated that thus far there has not been a need.

Mr. Chamberlin requested that the Sign Committee make a bylaw regarding Signs, such as the plastic ice cream cone on Route 119.

Review/Approve Minutes of 7/29/02

Mr. McCuin had some changes to the Minutes of July 29, 2002 and they were so noted. *Mr. Cunningham moved to approve the minutes of July 29, 2002 as amended. Mr. McCuin seconded. Vote with 2 in favor (McCuin and Cunningham) and one abstained (Chamberlin), as he was absent from the meeting of July 29, 2002.*

Personnel Board Appointments, Meeting With Pam Keith And Joan Hutchinson

The Board of Selectmen received a letter from Jane Bouvier, on behalf of the Personnel Board, recommending the appointment of both Joan Hutchinson and Pam Keith. *Mr. Cunningham moved to appoint Joan R. Hutchinson and Pam Keith to the Personnel for the three-year terms to expire June 30, 2005. Seconded by Mr. McCuin. Unanimous vote.*

Mr. Cunningham mentioned to the Board that he would like the BOS to be more proactive in supporting the Personnel Board as they endeavor to make some tough decisions. He does not want them to feel isolated with situations they may encounter.

Personnel Administrator

Ms. Kitchen suggested the BOS consider a Personnel Administrator. The timing of this suggestion comes now as the Selectman's Office has a vacancy with the part-time office assistant. The Personnel Board's assistant has also resigned and the Town Hall Floater's position is not used as much now because all of the departments are using Senior Volunteers to assist in the departments. The combination of these positions and monies would fund the position. The bylaw enacted in 1988 calls for a Personnel Administrator; however, it was never funded. The Personnel Administrator would be responsible for direct recruitment and hiring activities, assisting departments in the posting of vacancies, preparation of advertisements, screening of applications, and selection of candidates; conduct employee orientation sessions for newly hired employees. Maintain personnel records (now done by the Town Acct. and various depts. and should be centralized); oversee administration of compensation policies and practices adopted by the Personnel Board. Assist the Personnel Board in developing policies and procedures and an employee handbook. Conduct area wage and salary surveys. Assist the Personnel Board in evaluating requests for position reclassifications; attend Personnel Board meetings and advise the board on statistical data, developments in new legislation and fringe benefits; mediate problems between employees, work to improve communication between employees and Personnel Board; oversee and/or coordinate employee benefits programs and issues.

Mr. Cunningham agreed that this position would form a linkage from the employees to the Personnel Board that has been lacking for some time. He agrees that it is a good idea to consolidate all of the hiring practices.

Mr. McCuin said that this position is consistent with the trend we've been following to professionalize more of what we do in town government; however he would like to see a full job description

Mr. Chamberlin continued that the Personnel Administrator would also provide uniformity and felt that the position has a great deal of merit. He would like the Personnel Board's input. He, however, would like to move forward slowly, have a "full airing out," in an open process, give everyone the opportunity to weigh in. He is in support of this concept.

Executive Session – Real Property

At 8:50 P.M., Mr. Cunningham moved to go into executive session in accordance with MGL Chapter 39, Section 23B for the purpose of considering purchase, exchange, lease or value of real property and will reconvene in open session. Seconded by Mr. McCuin. Roll Call Vote: Cunningham – yes, McCuin – yes, Chamberlin – yes.

The Board reconvene into open session at 9:20 p.m.

Conductorlab Oversight Committee Appointment

Mr. Cunningham moved to appoint Kathleen E. Sellers and David R. Hopper to the Conductorlab Oversight Committee for a term to expire June 30, 2003. Mr. McCuin seconded. Unanimous vote.

Administrative Officer Report

Ms. Kitchen gave the Administrator Report and it is attached.

Mr. Cunningham moved to adjourn at 9:33 p.m. McCuin seconded. Unanimous vote.

Approved: _____
Thomas P. McCuin, Clerk

Respectfully submitted
Maria Casey
Administrative Secretary

Date Approved: August 26, 2002

Attachments (2)
ACEC Public Hearing Schedule
Administrative Officer Report