

**BOARD OF SELECTMEN
AUGUST 26, 2002
REGULAR SESSION MINUTES
“APPROVED”**

Present: Chairman Dann Chamberlin, Clerk Tom McCuin, Member Peter Cunningham, Administrative Officer Jean E. Kitchen, Regina Hull

The meeting was called to order by Mr. Chamberlin at 7:05PM. The motion was seconded and voted unanimously.

Dann Chamberlin opened the meeting by commenting on the new Groton Fire truck and thanking the citizens for voting yes for it at the recent Town Meeting. Also an expression of sympathy for the passing of Dr. Elizabeth Lewis. Mr. Kopec stated that Dr. Lewis was a member of the Board of Health therefore the flags will be at half staff.

**TOWN GOVERNMENT STUDY COMMITTEE
Recommendation regarding 3 vs. 5 Board of Selectmen**

Carlton Paul was on hand to explain the pros and cons of the BOS increase. The Town Government Study Committee felt that it had been very difficult for other towns to adjust to the change. They have not seen a particular problem why Groton needs to increase the number. Would possibly result in communication problems. The TGSC felt that before making the change Groton should understand the need or it could be destructive. On the positive side there would be a diverse representation, skill, better distribution of workload and more candidates for the office. The TGSC did not recommend that the BOS increase to a five-member board. Recommend that the BOS consider the appointment of a Town Manager as a means to better address the issues of financial control, long term planning, and prioritization.

HAZARDOUS WASTE

Mike Brady was present to announce the date for Groton’s Hazardous Waste Day, November 2, 2002 at Groton Electric and Light Department on Station Avenue. Hours are from 8:30 Am –12:30 PM. Fees are as followed:

Site Set-up	\$750.00 (Town)
Full Carload	\$40.00-up to 25 lbs. or 25 gal.(Town)
½ Carload	\$22.00-up to 10 lbs. Or 10 gal. (Town)
Excess Amounts	\$10.00-per additional carload up to 25 lbs. Or 25 gal.

Mr. Brady also explained a new program surrounding towns will be participating in. Many people miss a one-day event. Therefore we organize with surrounding towns to be able to use their Hazardous Household Products day. Citizens would have to register at their local Board of Health, pay the other town’s user fee but would be able to use several opportunities throughout the year to dispose. Also Cars are urged to get with neighbors in order to get the full carloads worth. The Towns involved would be Groton, Ayer, Dracut, Westford, Tyngsborough, Dunstable & Littleton. The surrounding towns would only be able to take up to 20 loads from out of town. Mr. Chamberlin commended Mr. Brady for taking on such a task. Mr. Cunningham made a motion to approve the authorization to sign the Memorandum of Understanding for the Pilot, reciprocal HHP Program between the towns stated above. Mr. McCuin seconded and was voted unanimously.

FINANCE DIRECTOR

There was a discussion on the statement of duties for the position of the Finance Director. Finance Committee is advisory not operational. They are not looking to take over other positions, and is also not going to be a Finance Department. Evan Katz commented on a good job done by the Committee. Also noted that they are heading in a good direction and are building credibility.

PUBLIC HEARING – BLOOD

Mr. Cunningham made a motion to open the public hearing at 8:15 PM. The motion was seconded and voted unanimously. The legal notice was read and published August 14, 2002 & August 21, 2002, as required by law. Notification of Certified Abutters Mail List was verified. There was an audience query for support and objection. Verification of written submissions received. Michelle Collette the Earth Removal Inspector was available to explain that the Committee was out on Mr. Blood's property last Wednesday and commented on the impeccable job Mr. Blood has always done. It was unanimously voted to recommend that the Board of Selectmen grant the earth Removal Permit. Paul Gray Mr. Blood neighbor asked if there can be a limitation on the times of the day that Mr. Blood is able to begin. He noted that he has experienced trucks very early in the morning braking and accelerating. That it shakes the house. Michelle Collette informed Mr. Gray that the Earth Removal bylaws states that the hours of activity be within 7 AM and 5 PM on weekdays. Mr. Blood stated that if there had been any activity before the hours the bylaw states he has not been aware of it. Mr. Gray stated that it was particularly more in the summer than in the winter. Mr. Blood stated that he will see to it that the rules are enforced. Mr. McCuin mad a motion to approve the renewal of an Earth Removal Permit for Elliot Blood, on Parcel 15, Assessors' Map 106 to expire on August 26, 2004.

EARTH REMOVAL EXEMPTION – GEORGE C. KIRK, 21 WYMAN ROAD

Mr. McCuin mad a motion to approve 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, shown on Assessors Map 229, Parcels 10, 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.
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.

The motion was seconded and voted unanimously.

EARTH REMOVAL EXEMPTION – VERDANT ARCH, INC.

Mr. Cunningham made a motion to approve a Certificate of Exemption to the Earth Removal By-Law, Chapter 134, Section 10, for Verdant Arch, Inc. for the removal of 26,663 cubic yards of material located at Forge Village Road, shown on Assessors Maps/Parcels 135/10, 135/3 and 135/4, 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.
2. The roadway must be cleaned at the end of the workday.
3. No operating on weekends or holidays.
4. Applicant shall notify the Earth Removal Inspector prior to commencement of activity.
5. Slope of Stockpiles not to exceed 2:1
6. Appropriate dust control measures to be undertaken.

Michelle Collette Earth Removal inspector commented on how the Committee went through many renditions in order to minimize the impact on the wetlands. The motion was seconded and voted unanimously.

ROAD OPENING EXEMPTION – GROTON DUNSTABLE REGIONAL SCHOOL DISTRICT.

Mr. Cunningham made a motion to approve the Road Opening Permit for a cut of 1,485 lineal feet for the purpose of work on the sewer main on North Street, contingent upon the appropriate fee. The motion was seconded and voted unanimously.

OPEN SPECIAL TOWN MEETING WARRANT

Mr. McCuin moved to reopen the Special Town Meeting Warrant and close it immediately for the submission of an article from the Town Accountant's office as follows:

To see if the Town will vote to amend the vote taken under Article 40 of the April 29, 2002 Annual Town Meeting by reducing the amount to be transferred from the Excess and Deficiency Fund (Free Cash) for the purpose of affecting the tax rate for the period beginning July 1, 2002, and ending June 30, 2003 from \$1,170,783.00 to \$1,166,742.98 or take any action thereon. The motion was seconded and voted unanimously.

Sheila C. Harrington Member of the Board of Director for Groton Center for the arts submitted a request for the board to reopen the warrant so that the Groton Center for the Arts may submit a warrant article on behalf of First Night to procure support financing from the Town of Groton in the amount of ten thousand dollars. Mr. Chamberlin explained that last year there was no appropriation from the Town, and not told that there would be any funding from the Town would be required this year. Mr. McCuin commented that the amount they would like was already cut. They have not presented the Board with a 200-signature petition. Also that he was disappointed in the First night last year, said it felt more like First Afternoon, would like to see it happen at night.

ORDER OF TAKINGS – AUTUMN LEAF DRIVE & BRYANWOOD LANE

Mr. Cunningham made a motion for an Order of Taking for Autumn Leaf Drive and Bryanwood Lane, as further described in the Order of taking drafted by Town Counsel, dated August 16, 2002. The motion was seconded and voted unanimously.

FINANCE COMMITTEE APPOINTMENTS

Three candidates were on hand for two appointed positions on the Finance Committee. Mr. Garret C. Boles, Mr. Paul Keith and Mr. Stuart Shuman. After questions were asked and answered by all three of the candidates the Board took a private ballot vote based on answers given. Mr. McCuin moved the designation of "Special Municipal Employee" status for the position of Finance Committee members, and also to appoint Stuart Shuman to the Finance Committee for the term to expire June 30, 2003 and to appoint Garret C. Boles to the Finance Committee for the term to expire June 30, 2005.

CONTRACT NEGOTIATIONS

Mr. McCuin made a motion to move to go into executive session in accordance with MGL Chapter 39, Section 23B to discuss strategy with respect to contract negotiations, to reconvene in open session. The motion was seconded and voted unanimously.

Police Chief Robert Mulhern was present to present the Contract negotiations. He also noted that from a management standpoint this was an excellent contract one they needed. The Department has extra week vacation after 20 years, a cleaning allowance of \$10.00/week, shift differential and a 2,2,4 increase in salary. Chief Mulhern thanked Jean for her help in the Contract negotiations and the Board agreed.

OTHER BUSINESS

LOST LAKE/KNOPPS POND WEED MANAGEMENT ADVISORY COMMITTEE APPOINTMENT

Mr. McCuin moved to appoint William H. Eger, MD – Board of Selectmen representative to the Lost Lake Knopp Pond Weed Management Advisory Committee, term to expire June 30, 2003
The motion was seconded and voted unanimously.

CABLE TELEVISION LICENSE RENEWAL

Mr. Cunningham made a motion to grant an additional 30-day extension to the Short – Term Cable Television License, effective June 30, 2002, and continuing for sixty (60) additional days, to expire September 15, 2002. The motion was seconded and voted unanimously.

Mr. Cunningham made a motion to approve the Executive Session minutes of August 12, 2002. The motion was seconded and voted unanimously.

ADJOURNMENT

At 10:30 PM Mr. McCuin made a motion to adjourn. The motion was seconded and voted unanimously.

Approved: _____
Peter S. Cunningham, Clerk

Respectfully Submitted,
Regina Hull
Administrative Secretary

Date Approved: November 12, 2002