

**BOARD OF SELECTMEN  
SEPTEMBER 16, 2002  
REGULAR SESSION MINUTES  
“APPROVED”**

**Present:** Chairman Dann Chamberlin, 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 read excerpts from a thank you letter that the Board of Selectmen received from a resident who's daughter was in an automobile accident thanking the Emergency Medical Services as follows – “Thanks to a cell phone, my husband and I were on the scene almost immediately. It was a scary sight. The car was a total wreck and laying nearly on its side down in a gully. The rescuers took great care in removing her from the car, reassuring her that she was all right. The people from Groton stayed to assist and offered their support. One young woman kept me from panicking by explaining the step-by-step procedures as they were happening. Our family would like to send our overwhelming thanks to the men and women of the Groton Fire Department, Police Force and EMT's for their extraordinary calm, professionalism and kindness during an extremely emotional time. Your dispatcher was also very helpful and calming. You are the best. We are a grateful family.” Mr. Chamberlin congratulated and thanked the Fire Department, Police Department and Emergency Medical Services.

### ELECTION SIGNS

The Board met with Town Clerk Bonnie Biocchi and her election wardens, Mr. Harlan Fitch and Ms. Lorna Bassett. Ms. Biocchi wrote to the Board of Selectmen (BOS) requesting that they reconsider their vote of 9/3/02, which allowed three unmanned signs at the Senior Center on Election Day. She stated that it her practice to notify all candidates of signage and/or election policies and she has been enforcing this policy over the last five years. The vote that the BOS made on 9/3/02 contradicted her letter to the candidates. Ms. Biocchi had expressed that she wished she had been advised of this on the previous agenda for discussion, as she is the Chief Election Official. Mr. Chamberlin clarified that this matter came before the Board unexpectedly. The Board felt it untenable to have one set of rules at one place and one set at the other and that's why the BOS decided that the school policy was one of common sense and that in the interest of uniformity made the decision they did. The Board of Selectman has the ultimate authority on signs.

Ms. Biocchi felt in allowing unmanned signs the Town will have long-term repercussions regarding signage. She referred to the opinion of Town Counsel Brian Riley that if the BOS allow unmanned signs on town property on election days, “it would be very difficult to justify a denial of either non-political signs at the Center or signs of any message on other Town property.” Ms. Biocchi also is concerned with the aesthetics of the Town. She feels signs would have a negative visual impact and that one of the reasons for the sign bylaw is for aesthetics of Groton. She feels allowing unmanned signs defeats the sign bylaw's purpose.

Mr. Chamberlin was loath to make any changes on the eve of the election.

Mr. Cunningham spoke of the additional confusion whereby the school committee does allow three unmanned signs because the school used to house all polling places. He stated that back in 1997 an ad hoc committee came up with these recommendations. Prior to this, there was no control over signage and that it was a “mess.” He is also concerned with Town Counsel's opinion as there are town functions such as Grotonfest, Fireman's Muster, and the like that he feels the signs are justified for. He recommends working with the Sign Committee, examine the situation with the two sets of resources and revisit the decision after the Town Election in November.

Ms. Biocchi felt that this decision just “muddied her waters.” Her decision two weeks ago was consistent with her past practice.

Mr. McCuin arrived at 7:20 P.M.

Mr. McCuin apologized for his tardiness and then relayed that he was the one who brought it to the Board's attention. He felt that the BOS gives the specific permission. One of the candidates approached him regarding the letter and he felt “this board gives statutory permission and that the letter denying permission was sent when BOS hadn't made that decision.”

Mr. Cunningham weighed in that at this time to go forward with the not allowed three unmanned signs the way it is would be inequitable decision and that's the dilemma of where we are at. The BOS will work with sign committee and revisit the whole issue. We can give permission for this specific decision.

Mr. McCuin wanted it known that he supports candidate's right to campaign in whatever legal form.

Ms. Biocchi relayed that people approach her as the first line of defense regarding signs. The wardens are responsible. If things

escalate, the Police Department can/will handle; however, she prefers not to call the police.

Mr. Cunningham complimented Ms. Biocchi commenting that she does a great job with the elections and stated that if she has any problems with the decision the Board has made, she can refer to the Selectmen's office.

The BOS will meet with the Sign Committee, et al. for resolution for the November 5<sup>th</sup> election and the future elections.

## **1<sup>ST</sup> RIGHT OF REFUSAL – CHAPTER 61**

### **Mason Property, Old Dunstable Road & Blood Road**

Mr. Chamberlin recused himself, as he is a member of the Groton Conservation Trust. *Mr. Cunningham moved that the Town waive its right under Chapter 61 to purchase Lots 7, 8, 9 and 10 on Old Dunstable Road and Blood Road, shown on Groton Assessors' Maps/Parcels 247/2, 247/3, 247/6 and 244/12, owned by Edward A. and Jean K. Mason. Seconded by Mr. McCuin. Vote carries with Two in favor. One abstained.*

### **LIEUTENANT PROMOTION**

Police Chief Mulhern was in attendance to introduce John Rooney as his recommendation for Lieutenant. Officer Rooney has a twenty-five year career in law enforcement, 19 of which were with Harvard University, supervising 60 members. He rose through the ranks of patrolman to sergeant and then lieutenant in 1990. He was a supervisor in fraud investigations. He has an impeccable background and was Chief Mulhern's 1<sup>st</sup> full time hire as new Chief in 2001. Chief Mulhern also recommends Officer Rooney as they are compatible and have similar philosophies and based on his history and outstanding experience. Chief Mulhern believes they will make a strong and progressive administrative team. He recommends a Step 3 at a minimum, which is a salary commensurate with his responsibilities, and duties and the fact that he need to earn more than those he supervises. The sergeants in the department are in support of Officer Rooney as Lieutenant and are please to have him in command staff. Chief Mulhern has already met with the Personnel Board and they support Step 3. *Mr. Cunningham moved to approve the promotion of Officer John J. Rooney to Lieutenant at a Step 3 for the term to expire June 30, 2003. Seconded by Mr. McCuin. Unanimous vote.*

### **Country Club & Recreation Authority Appointment**

Mr. Dan Forbes was in attendance for his appointment. Mr. Forbes highlighted his strengths, to which he brings to this appointment, as a small business owner, as well as having belonged to another private club and seeing how things are run. Mr. Forbes has lived in Groton for 3 years and has been to one meeting with the Country Club Authority. Another member, Janet Healey, has encouraged him to become more involved. *Mr. McCuin moved to approve the appointment of Daniel W. Forbes as a member of the Country Club & Recreation Authority, term to expire June 30, 2003. Seconded by Mr. Cunningham. Unanimous vote.*

### **Ratify Police Contract**

Chief Mulhern brought forth the Patrolmen's Contract for the Board's ratification. The Finance Committee unanimously supports this contract. *Mr. Cunningham moved to ratify the Agreement Between the Town of Groton and the Groton Police Patrolmen's Association, July 2, 2002 through June 30, 2005. Seconded by Mr. McCuin. Unanimous vote.*

### **Housing Partnership Appointment**

*Mr. Cunningham moved to appoint Joan Hutchinson to the Housing Partnership for the term to expire June 30, 2003. Seconded by Mr. McCuin. Unanimous vote.*

### **Lost Lake Weed Management Appointments**

*Mr. Cunningham moved to appoint Arthur R. Campbell as Citizen-at-large representative to the Lost Lake/Knops Pond Weed Management Advisory Committee, term to expire June 30, 2003. Seconded by Mr. Chamberlin. Unanimous vote.*

*Mr. Cunningham moved to appoint Lawrence W. Swezey at Water Commissioner Representative to the Lost Lake/Knops Pond Weed Management Advisory Committee, term to expire June 30, 2003. Seconded by Mr. McCuin. Unanimous vote.*

### **Election Workers Appointment**

*Mr. Cunningham moved to appoint Heather Greacen, Ramona Tolles, Eleanor Mariano and Edward Kopec as Election Workers for the term to expire June 30, 2003. Seconded by Mr. McCuin. Unanimous vote.*

### **Local Cultural Council Appointment**

*Mr. McCuin moved to appoint Deborah J. Gilpin to the Local Cultural Council for the term to expire June 30, 2005. Seconded by Mr. Cunningham. Unanimous vote.*

It was announced, at the request of the Local Cultural Council, that Grant applications for projects in 2003 are due by October 15, 2002. Individuals and organizations in the Town are encouraged to apply. The Local Council supports "public projects that

promote access, education, diversity and excellence in the arts, humanities and interpretive sciences in the community.”

### **ADMINISTRATIVE OFFICER REPORT**

Ms. Kitchen remarked that she wanted to thank Maria Casey for all of her assistance running the office while she was on vacation.

Mr. McCuin spoke briefly. This is his last Selectmen’s meeting. He wanted to thank Ms. Kitchen and Maria Casey for all of their assistance, especially Ms. Kitchen over the past 15 months. He stated that September 11<sup>th</sup> changed quite a few things. He, at the time, was an individual reserve. Prior to the 11<sup>th</sup>, he had signed on to be a paratrooper in June and then along came the 11<sup>th</sup>. It was a matter of time for Mr. McCuin. He didn’t anticipate having to leave his position as Selectman. He will miss working here and doesn’t know what his future will hold, however, he’s excited for the opportunity to serve. Mr. Chamberlin remarked that he would hold a thought for Mr. McCuin constantly. He remarked that he was pleasantly surprised working with Mr. McCuin. He felt Mr. McCuin looked at what was in the best interest of the town when making decisions and that it has been a great deal of fun working with him. Mr. Cunningham likewise agreed with Mr. Chamberlin’s statements and felt that the three members were a good balance on the Board of Selectmen, Mr. McCuin’s participation making that possible. He told Mr. McCuin that the Town will be here when he gets back and wished the very best of luck to Mr. McCuin and his family.

### **EXECUTIVE SESSION**

*Mr. Cunningham moved to enter into Executive Session at 8:20 p.m. in accordance with MGL Chapter 39, Section 23B for the purpose of considering discipline or dismissal and will not reconvene into Open Session. Seconded by Mr. McCuin. Roll call vote: Cunningham – yes; McCuin – yes; Chamberlin – yes.*

The meeting adjourned at 9:05 p.m.

Approved: \_\_\_\_\_  
Peter S. Cunningham, Clerk

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*Respectfully submitted*  
Maria Casey  
Administrative Secretary

Date Approved: October 15, 2002