

**BOARD OF SELECTMEN
OCTOBER 28, 2002
REGULAR SESSION MINUTES
“APPROVED”**

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

The meeting was called to order at 6:55 P.M.

New Health Agent

Dr. Susan Horowitz was present to introduce Mr. Ben Cutone, Health Agent for Nashoba Associated Boards of Health. Rob Overton has resigned. Nashoba BOH's hours are Monday and Wednesdays from 8:00 a.m. to 9:00 a.m. As of November 4th, Mr. Cutone will be shared only by two towns, Groton and Ashby.

Tax Possession For Auction

Mr. Hartnett presented a list of properties that are town tax possessions and would like to hold an auction. Abutters have expressed an interest in purchasing. During Mr. Hartnett's tenure of 13 years, this will be the fifth auction. Mr. Hartnett would like to start holding yearly auctions. The Sewer Commission informed him that they are interested in eight of the properties and requested a delay in auction until their attorney determines whether or not it would be beneficial. Auctioning these properties will put them back on the tax rolls and produce income.

Ms. Christine Collins, Assistant Treasurer/Tax Collector stated that a vote of Town Meeting will forgive those back taxes if sewer is interested. There was no action taken by the Board due to Sewer Commission interest.

Mr. Karl Johnson, Sewer Commissioner, stated that the reason they are interested in this property is for a potential pump stations, which is part of their infrastructure they are working on.

Election Signs / Signs On Town Property

Mr. Chamberlin took a few minutes to summarize the chronology of events leading up to this meeting with regard to Election Signs. The Senior Center, being on town owned property, was not allowing unmanned signs at the Polling Place. The school property, based on an opinion from Town Counsel in 1997, did allow unmanned signs. Town counsel further added that no signs should be allowed on any town property, which the Board did not agree with. Town Counsel also recommended that the School District return to its 1997 policy of prohibiting unmanned signs.

The Board reviewed Town Counsel opinion regarding Regulation Political Signs at New Polling Place dated September 9, 2002 (attached).

Mr. Cunningham expressed his frustration with Town Counsel's reversal of their opinion in 1997, which prompted the school adopting a policy to allow unmanned signs stating that the school could make their own policy then reversing now stating that the school is the lessee through the town and finalizing by stating that we should change all policy.

Mr. Chamberlin reiterated that the BOS is the ultimate authority over the school, which is on town property.

Ms. Kitchen stated that when requests for signs on town property are made, the Town has said no to "for profit" organizations.

Town Clerk Bonnie Biocchi summarized by stating that there just needs to be a clear decision and it should be equitable at all polling places. She personally believes that political signs, per the original bylaw intent, ruins the aesthetic beauty on town property and feels the BOS should heed the advice of town counsel to avoid setting the Town up for lawsuit or unpleasant circumstances as a result.

Discussion ensued regarding political signs along Route 119, the tree belt. Route 119 belongs to the state, not the town. Signs are not allowed on state property; however property owners that abut 119 can place a sign.

Mr. Karl Johnson, Sign Committee rep., stated that the Sign Committee takes no position on political signs and that political

signs are not subject to any part of the Sign Bylaw. Political signs are a 1st amendment right and should not be violated.

Dr. Mary Jennings, Superintendent of GDRSD, stated that back in 1997 due to innumerable signs on the school property was pleased with a policy that allowed only three that the School Committee voted per advice of counsels. She did state however that that School Committee finds it difficult to enforce this.

Michelle Collette, Chairperson of Democratic Town Committee just stated that there is a need for ground rules for everyone. Other smaller town committees who are not aware of any rulings may, through ignorance, post the signs; however, when told of the policy they do comply. She is in favor of equality and uniformity.

Mr. Cunningham further added that for ballot question campaigning on Election Day, a policy of no unmanned signs hurts these campaigns, as people may not have enough volunteers able to hold signs and they are attempting to get their last word on the questions. He also added that this opinion has the potential to carry on to civic signs and then no signs anywhere on town property, which he is not in favor of. Also that for signs such as the Fireman's Muster, Grotonfest and the like, we would not be able to put signs out for those either and he is not in favor of this.

Mr. Chamberlin stated that personally he would leave the policy to allow for three unmanned signs however if Town Counsel advises us, we should heed their advice.

Susan Slade – Vice Chair, Republican Town Committee agrees with Michelle Collette that there is a need for uniformity and equality. She also agreed with Mr. Cunningham that it certainly makes it harder on those campaigns that don't have town connection and come with out of town staff and that creates a problem

Mr. Chamberlin stated that we are striving to be consistent, and we should stay consistent with town counsel advice.

Mr. Chamberlin moved that effective immediately the town policy with regard to election signs is that there are no unmanned signs at either polling place. Seconded by Mr. Cunningham. Unanimous vote.

Hire EMT – Sue Ragusa

EMS Director John Walsh was present to introduce his recommended candidate, Sue Ragusa, for the 1st full-time EMT position of the department. Sue has worked part-time for the past three years. She lives in town, has been a faithful employee, attends all the training, on call she's very responsible, helps with budgeting (has a CPA background).

Mr. Cunningham moved to approve the hiring of Sue Ragusa as a full time EMT effective October 1, 2002. Seconded by Mr. Chamberlin. Unanimous vote.

Mr. Walsh wanted to express his thanks to Hollingsworth & Vose, Monrath, Groton School, and Grotonwood for their allowing their employees to leave during the day to respond to calls. On average, there are 2 to 3 calls per day and there's not always enough coverage.

Review Policies

Ms. Kitchen requested the Board review the policies in order for the office to do a mass distribution to all town departments. The policies are as follows: Alcohol & Controlled Substances Use & Testing, Avenue of Flags Display, Calls Regarding Wild Animals, Employee Recognition, Family Medical Leave Act, Flag Lowering, Garage & Yard Sales, Gifts of Land, Internet/Email Usage, Posting of Vacancies, Recycling Product Procurement, Request for Anonymity, Safety, Town Hall Building, Use of Town Telephone, Use of Town-Owned Buildings, Vacation and Wage Classification Plan.

Special Police Officer Appointment – Doug Hatch, Townsend Officers

Mr. Cunningham moved to appoint George D. Reidy and Robert L. Breault as Special Officers for the term to expire June 30, 2003. Seconded by Mr. Chamberlin. Unanimous vote.

Mr. Cunningham moved to appoint Douglas G. Hatch as a Special Officer for the term to expire June 30, 2003. Seconded by Mr. Chamberlin. Unanimous vote.

One Day Liquor License – First Parish Church

Mr. Cunningham moved to approve a One-Day Wine & Malt License for Steve Miller for the First Parish Church on

Saturday, November 2nd from 5:30 P.M. to 9:30 P.M. contingent upon receipt of a Certificate of Insurance. Seconded by Mr. Chamberlin. Unanimous vote.

Administrative Officer Report

Ms. Kitchen reported that the Board received a thank you note from Kevin Molloy for the nice proclamation. Mr. Molloy is still in Australia.

We received the traffic and speed counts from MRPC regarding Main Street near Playground.

The BOS chose the date of November 19th to present Vena Durham Henrickson with the Boston Post Cane at 1:30 P.M. at the Daycare Assisted Living near Rivercourt.

Executive Session – Real Property

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 not reconvene in open session. Seconded by Mr. Chamberlin. Unanimous vote.

Mr. Cunningham moved to adjourn at 8:30 p.m. Seconded by Mr. Chamberlin. Unanimous vote.

Approved: _____
Peter S. Cunningham

Respectfully submitted,
Maria Casey,
Administrative Secretary

Date Approved: December 9, 2002

Attached: List of Properties for Tax Title
Opinion from Town Counsel Dated September 9, 2002