

**BOARD OF SELECTMEN  
JUNE 23, 2003  
REGULAR SESSION MINUTES  
“APPROVED”**

The meeting was called to order at 7:00 P.M.

Present: Thomas D. Hartnett, Chair; George F. Dillon, Jr., Vice Chair; John L. Saball; Clerk; Peter S. Cunningham, Member; Virginia C. Wood, Member; Administrative Officer Jean E. Kitchen.

**Selectmen Liaison Policy Adoption**

Chairman Hartnett reviewed the liaison policy with the Board of Selectmen (BOS). He also noted who would attend what meetings this week:

SADAC – Fran Dillon and Thomas Hartnett

Sewer – Jack Saball

Farm Meeting – Virginia Wood

Rail Trail – Peter S. Cunningham

*Mr. Cunningham moved to adopt the liaison policy. Seconded by Ms. Wood. Unanimous vote.*

**Earth Removal Exemption – Old Dunstable Road**

Michelle Collette and Bob Hanninen of the Earth Removal Advisory Committee were present. Ms. Collette noted that the committee had numerous concerns over this site. There was a soil erosion permit issued in August of last year which has not been complied with as well as the driveway does not comply with the Planning Board Permit. Field conditions need to be in compliance or a new plan showing changes needs to be submitted. The committee recommends that no material be removed until plan showing location of driveway, until a foundation is poured and the site is stabilized. The committee recommends that the exemption be denied without prejudice.

Mr. Bradley, the contractor was representing the owner and noted when the driveway was put in he didn't know a permit was needed. The trees were cut for a septic system and the road was cut to put in the wells. Nothing on the site has been done since last summer until a few weeks ago. If can't remove the soil more trees (on the left side) will need to be taken out in order to store the soil on site.

Ms. Collette noted that the banking of the driveway is steeper than 2 to 1 and the soil could be stockpiled at the top of the hill and no additional trees would need to be cut.

Mr. Cunningham asked Mr. Bradley if it made sense to come up with another plan.

Mr. Bradley said no that he had already been held up a year. Dan Wolfe of Ross Associates suggested getting an earth removal permit. Mr. Bradley felt that Ms Collette still has an issue with what happened last year.

Mr. Hanninen noted that it is not clear if all the material needs to be removed. It would make more sense to make that determination when the site is developed further. Ms. Collette agreed that it is difficult to determine what is excess until the development is started.

Mr. Saball felt that there was room to store the materials on site for now.

Mr. Bradley stated that putting the soil at the top doesn't make sense; it is better to put it where the septic is. He will push it to the left (and remove trees) if he doesn't get the permit.

Mr. Hartnett suggested a compromise

Ms. Collette commented that she was not in favor of taking down more trees and suggested that Mr. Bradley request a permit after he completes the driveway.

Mr. Bradley was concerned that if he came back and didn't get the permit he would need to put back the materials.

Ms. Wood noted that there is a scenic road bylaw and if the trees by the road are killed, he will need to replace them.

*Ms. Wood motioned to **deny** a Certificate of Exemption the Earth removal by-Law, Chapter 134, Section 10, to High Oaks Realty Trust for the removal of 2,050 cubic yards of gravel on Old Dunstable Road, shown on Assessors Map/Parcels 247/53, Lots 11 & 12. Seconded by Mr. Cunningham Unanimous vote.*

### **Road Opening Permit –Culver Road**

Mr. O’Leary representing Keyspan was requesting a road-opening permit to install a 4-inch gas main 800 feet from Smith Street To Kingsbury Circle (Ayer)

Ms. Kitchen noted that the Kingsbury development in Ayer is still in litigation.

Mr. Cunningham questioned what there was a request now since the main would only serve one house.

Mr. O’Leary noted that he didn’t know until this morning that there was litigation.

Ms. Wood asked if Keyspan had paid all their permit fees in the past.

Highway Surveyor Tom Delaney said all the major cuts have been paid but some of the minor cuts have not been paid.

Mr. Dillon asked about the sidewalk on Townsend Rd. that was disturbed by Keyspan.

Mr. Delaney stated that Keyspan had given him money to repair the sidewalk, and he was starting construction this week.

Ms. Wood asked about the minor cuts that have not yet been paid

Mr. Delaney said most were 3-4 feet.

Ms. Kitchen recommended using a senior volunteer to collate the bills so that Keyspan could be invoiced for the minor cuts.

Mr. Hartnett asked if Mr. O’Leary would like to withdraw his request. Mr. O’Leary said he would like approval because there may be other on the street that would like to tie into gas. The cut will be on the edge of the road, not in the paved way and would bore under the road if need be. He also realizes he must go to the state for approval as he is going over a culvert.

Mr. Cunningham said the reason that gas was requested is because of Mr. Eliades project in Ayer not because of the residents in Groton. It would make more sense to wait until the litigation in Ayer is finalized.

Mr. Dillon noted that the gas line would not be put in just for one customer. Others on Smith St. would need to sign up.

*Ms. Wood motioned to approve the road Opening Permit to Keyspan Energy for a cut of 800 lineal feet for the purpose of installing 4” gas line on Culver Street with the following condition:*

*Contingent upon:*

- *Filing of a Request for Determination of Applicability or Notice of Intent per the recommendation of the Conservation Commission.*
- *The main would be completely out of the pavement and bore any cross trenches under the street*
- *All funds submitted before the permit is issued.*
- *The gas line should not be located on the easterly side where the water main is located*

*Mr. Saball seconded. 4 in favor, 1 abstention (Cunningham).*

### **Recycling Committee – PAYT**

Tessa David and Mike Brady of the recycling committee showed the new trash bags which will be available at Moisons, Donnelans, Groton General Store and Sherwins, as well as at the Board of Health Office. They noted that these bags were a stronger mill than Glad and Hefty. Also with the bags is a map of the transfer station and the recycling bins and their location. There are 10 bags per roll \$10 for the large bags and \$6 for the smaller bags. This is the cost for disposing trash not the cost of the bag. The recycling committee paid for the bags and there were no town funds used. This program starts July 1 and recycling committee and volunteers will be at the transfer station on weekends to explain the new program.

Mr. Dillon asked what impact would this program have on those with curbside.

Ms. David noted that there would be no impact, as curbside haulers are not going to the transfer station.

The Board thanked the committee for their work.

### **Bid Award Lost Lake Fire Station and Building Permit Fee Waiver**

Brooks Lyman, Chairman of the Building Committee explained that they had six bids for lost lake fire station and are recommending Emerald Construction of Carlisle, Ma. The three alternates will be held off, as the budget is very tight. Alternate 1 is the automatic venting that will be done if they have enough money at the end. Alternate 2, moving the basketball court will be done with volunteer labor and assistance of the Highway Dept. and the Parks Dept. after the building is completed. Alternate 3 is the landscaping, which they will try and get donations.

Ms. Collette recommends hiring a clerk of the works rather than a costly construction management firm. They are recommending Bentley Herget, who currently works for the building inspector 25 hours a week. They expect that they could use him 10 hrs per week for the lost lake station project. He is willing to do the work and the building Inspector is supportive. The committee is also requesting waiving of the building permit fees, contingent on a credit from the general contractor.

Mr. Lyman that he didn't know why the bids came in higher than KV estimated at \$1.3 million. Ms. Collette noted that they changed architects because the first firm designed something that was very high. The planning board will not have a problem with the landscaping as the committee has made a commitment to complete the landscaping. Mr. Lyman noted that there would not be a water connection fee as there is a fire hydrant on the property (not in the right of way) that has a 6-inch line therefore there is a line already on the property. The water dept. will be moving the fire hydrant to the right of way.

Mr. Cunningham noted that project management was critical in order not to get change orders.

Mr. Lyman said the references on Emerald were very good. Ms. Collette checked with others not listed i.e. John Baranco, LRTA and the Town of Carlisle—all gave excellent references.

Ms. Wood asked if the architect had interviewed Mr. Herget. Ms. Collette will be arranging that shortly.

Ms. Wood asked if we would have any liability hiring Mr. Herget.

Ms. Collette said no, as there is a job description. He won't be acting as owners or architect representative. He will act as an observer. Ms. Wood stated that Mr. Herget should be familiar with the plans.

Mr. Hartnett, who is also on the committee, said it was Ms. Collette's idea to use Mr. Herget reducing the price from \$25,000 to \$7,500. and he is confident that it will work well.

The Fire Chief was absent due to his daughter's graduation.

Ms Wood asked Lost Lake Fire Captain Bob Mignard for an update on the house fire. Mr. Mignard noted that it was the first civilian fatality. Operationally everything went well, although they do not yet know the origin (the fire marshal is looking into it).

The Board commended the fire dept. for all its efforts.

*Ms. Wood motioned to authorize the Building Committee to issue a Notice to Proceed to Emerald Construction of Carlisle, Mass. and to enter into contract negotiations. Mr. Cunningham seconded. Unanimous vote.*

*Ms. Wood motioned to hire Bentley Herget as Clerk of the Works for the Lost Lake Fire Station Building Project, which will entail*

*approximately 10 hours per week. Mr. Cunningham seconded. Unanimous vote.*

*Ms. Wood motioned to waive the building permit fees, other than those required to pay the inspectors, contingent upon the General Contractor crediting said fees. Mr. Cunningham seconded. Unanimous vote.*

### **Selectmen's Office – Office Assistant Appointment – Kathleen Newell**

Ms. Kitchen gave an overview of the hiring process and recommend Kathleen Newell for the position.

*Ms. Wood motioned to approve the hiring of Kathleen Newell as the Office Assistant to the Administrative Officer at a Grade 5, Step 1. Mr. Cunningham seconded. Unanimous vote.*

### **Board of Selectmen Goals**

The Selectmen finalized their goals and objectives document, which is enclosed herein. The Board requested distribution to all Boards, Committees, Commissions and Departments.

### **Other Business**

#### **Safe Home Letter Endorsement**

Groton Dunstable Alliance for Youth asked the Board for an endorsement to be included in a mailer to be sent to parents in October. The Selectmen voted the following endorsement as recommended by GDAY:

Parents who choose to sign the SAFE HOMES pledge are making a commitment to be active in their supervision as well as participation with their teens. This commitment sends a message about the importance they attach to the safety and well being of their own children as well as other children in our community. The goal is, in fact, to strengthen the idea of drug and alcohol free teens as everyone in our community supports a norm.

#### **Washington Green (40B) Comments**

The Board had already sent their comments to the ZBA previously

#### **Mill Run ENF Comments**

Jean drafted comments for the Board's signature

#### **Senior Work Program Amendments to Policy**

*Mr. Cunningham motioned to amend the Senior Credit Work Program to include the following criteria – "More than one qualifying owner of a parcel may earn an abatement so long as the total work credit abatement per parcel does not exceed \$500 per year."*

*Mr. Saball seconded. Unanimous vote.*

*The Board also endorsed the Treasurer's recommendation not to increase the number of slots for volunteers this year.*

#### **SADAC Appointment to Policy**

*Mr. Cunningham motioned to appoint Fran Dillon as SADAC alternate. Ms. Wood seconded. 4 in favor, 1 abstention (Dillon).*

#### **Review/Approve Minutes**

*Motioned by Ms. Wood to approve the Regular Session minutes of June 16, 2003 as amended. Seconded by Mr. Saball. Unanimous vote.*

#### **Annual Committee Reappointments**

*Mr. Cunningham motioned to reappoint the following (appointees enclosed herein) as listed: Ms. Wood seconded. Unanimous vote.*

<b>TOWN BODY</b>	<b>TERM</b>	<b>EXPIRATION DATE</b>
Earth Removal Advisory Committee	3	June 30, 2006

Election Worker	1	June 30, 2004
Electrical Inspector	1	June 30, 2004
Greenway Committee	1	June 30, 2004
Groton Country Club & Recreation Authority	3	June 30, 2006
Station Avenue Directions Advisory Committee	1	June 30, 2004
Weed Harvester Committee	1	June 30, 2004
Town of Townsend Special Police Officers	1	June 30, 2004
Town of Shirley Special Police Officers	1	June 30, 2004

*Ms. Wood moved to adjourn the meeting at 9:38 p.m. Seconded by Mr. Cunningham. Unanimous vote.*

Approved: \_\_\_\_\_  
Jack Saball, Clerk

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*Respectfully submitted,*  
Jean Kitchen,  
Administrative Officer

Date Approved: July 14, 2003

Attachments (2) Board of Selectmen Goals and Objectives, Reappointments