

**BOARD OF SELECTMEN
JULY 28, 2003
REGULAR SESSION MINUTES
“APPROVED”**

Present: Thomas D. Hartnett, Chair; George F. Dillon, Jr., Vice Chair; John L. Saball, Clerk; Virginia C. Wood, Member; Administrative Officer Jean E. Kitchen; Maria Casey, Administrative Secretary; and Kathleen Newell, Office Assistant.

Absent: Peter S. Cunningham, Member

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

Road Opening – Shirley Road

Attorney Ray Lyons was present representing Farmer's Row LLC. Mr. Lyons presented a plan showing the proposed road opening and improvements. Mr. Lyons stated the Planning Board had signed off on the definitive plan on the roadwork and he has been working with the Water Department which had requested that they install a 12" pipe from the 4" pipe to service the line; and the Highway Surveyor on how to best finish the road. Mr. Lyons stated that the 12" line would run along Shirley Road and connect with several 8" pipes. Ms. Wood questioned the length of time the road would be opened and when the proposed work was to begin. Mr. Lyons stated that the road would be open approximately 2 to 3 weeks and the work would begin in approximately a couple of weeks. Mr. Hartnett asked why the applicant was asking for the fee to be reduced or waived. Mr. Lyons stated that the applicant was providing services to the Town; he further stated that the Water Department had by a 2/3 margin voted at their meeting that the fee be reduced.

Ms. Wood moved to approve the Road Opening Permit to Farmer's Row LLC for a cut of 2,574 linear feet for the purpose of widening and installing water lines on Shirley Road contingent upon the applicant provides the Water Department and Highway Surveyor with acceptable engineered road and water plans prior to commencement of work and approval from Chief Mulhern and Chief Bosselait for provision of emergency services and receipt of a fee acceptable to the Chair and Administrative Officer. Mr. Dillon seconded. Unanimous vote.

Nashoba Valley Technical High School – Judith Klimkiewicz

Ms. Judith Klimkiewicz and Mr. Victor Kiloski were present for this portion of the meeting and submitted a detailed packet "budget explanation dated July 28, 2003" (enclosed herein) to the Board members per their request to explain the assessment for Groton as well as the BANS. NVTHS requested an additional \$152,402 their amended budget was certified on July 28, 2003, however, Ms. Klimkiewicz was unable to provide it due to their treasurer being on vacation. She will fax it tomorrow, July 29, 2003, as soon as the Treasurer signs it. The Board can either accept the re-certified budget or call a special town meeting.

ALS – Mutual Aid Agreement with Town of Townsend

Mr. John Walsh was present for this portion of the meeting. Mr. Walsh stated that he felt the Town was getting a very good bargain and that the cost to the Town would be approximately \$450,000 a year to provide the services on its own. Mr. Walsh stated that Townsend was making arrangements to obtain a second ALS unit and operate from Nashoba Hospital to service the southern area. Ms. Kitchen stated that there would be a one-year contract paid quarterly to start. Ms. Wood questioned if the Town of Groton should wish to rescind the agreement with the Town of Townsend, and the 60-day advanced written notice were given, would the fee be prorated. Ms. Kitchen stated that was the reason for paying quarterly.

Ms. Wood moved to enter into an Ambulance, Emergency Medical and Advanced Life Support Services Mutual Aid and Billing Agreement between the Town of Townsend, by and through its Board of Selectmen and Ambulance Department, and the Town of Groton, by and through its Board of Selectmen and Emergency Medical Services, dated July 28, 2003; contingent upon an operational plan being presented and approved by the Groton Board of Selectmen, and it is

understood that if Section 7(B) is taken advantage of the contract fees will be prorated. Mr. Dillon seconded. Unanimous vote.

Finance Committee Appointment

Ms. Wood moved to appoint Steve Webber to the Finance Committee for the three-year term to expire June 30, 2006. Mr. Saball seconded. Unanimous vote.

Conservation Commission Appointment – Stacey Laudenslager

Ms. Wood moved to appoint Stacey Laudenslager to the Conservation Commission, for the three-year term to expire June 30, 2006. Mr. Dillon seconded. Unanimous vote.

Road Opening Permit – Powder House Road

Mr. Fran O’Leary, Mr. Mark Kish, and Mr. Mel Schula of Keyspan Energy Delivery Services and Mr. Tom Delaney, Highway Surveyor were present for this portion of the meeting.

Mr. Schula stated that the opening of the road would be for a cut of 1,520 linear feet to install a 2” plastic gas main and he hoped to come to an agreement to get the road done before school opens in September. Mr. Delaney stated that a water main would be installed next year and after all construction, the road would then be resurfaced. Mr. Hartnett questioned the fee waiver, Ms. Kitchen explained that according to a court case regarding road openings the town cannot charge utility companies the linear foot fee, and however an administrative fee can be charged. The Board agreed that a \$50.00 administrative fee was consistent with the going rate.

Ms. Wood moved to approve the Road Opening Permit to Keyspan Energy Delivery for a cut of 1520 linear feet for the purpose of installing 2” plastic gas main on Powder House Road, contingent upon an administrative fee of \$50.00 and the applicant providing the funds for roadway improvements as required by the Highway Surveyor for future resurfacing within a reasonable time frame. Mr. Saball seconded. Unanimous vote.

Growth Management Advisory Committee – Implementation Plan

Mr. Chuck McKinney, Dr. Susan Horowitz, Mr. Steve Weber on behalf of GMAC were present for this portion of the meeting.

Mr. McKinney stated the GMAC had four (4) points that they wanted to clarify. First he asked Mr. Hartnett if he was going to be the representative, Mr. Hartnett stated that he would not and Ms. Wood would take his place. Mr. McKinney stated that Mr. Hartnett would need to resign the position and the Board would need to send a nomination for Ms. Wood. Mr. Hartnett directed Ms. Casey to submit a resignation letter. GMAC was looking for direction from the BOS regarding 4 items. 1) Assist the fire department with the transition for a full time fire department - GMAC explained that they were using the statistics provided by Chief Bosselait and was only acting in an advisory capacity providing a compilation; 2) participating in multi-year financial analysis and planning - The BOS, as part of their goals, will be spearheading this project (Dillon and Wood); 3) Master Plan Implementation review responsibility - Planning Board Chair, George Barringer, Planning Board Administrator, Michelle Collette and members Josh Degen and Bruce Clements were in attendance. Mr. Barringer explained that this responsibility was under the purview of the Planning Board. 4) Sewer capacity issue - The BOS explained that the sewer commissioners are elected by the people and are doing a fine job managing this and will continue to do so. Mr. Fitch, Sewer Commissioner did state that they appreciated the assistance of GMAC relative to compilation of figures etc. and would be willing to continue working with them.

Board of Selectmen Policies and Procedures

Mr. Dillon stated that he would like to delay the action because he would like to see a full board in attendance and also give the Board an opportunity to further review the materials. Mr. Saball and Ms. Wood concurred. Ms. Kitchen requested that the members submit their comments to her.

Building Committee Appointment – Chief Joe Bosselait

Ms. Wood moved to appoint Chief Joe Bosselait to the Building Committee term to expire June 30, 2004. Mr. Saball seconded. Unanimous vote.

Regular Session Minutes of June 30, 2003; July 14, 2003 & Special Session June 26, 2003.

Ms. Wood moved to approve the Regular Session Minutes from June 30, 2003. Mr. Hartnett seconded. Unanimous vote.

Mr. Saball moved to approve the Regular Session Minutes of July 14, 2003. Mr. Hartnett seconded. Unanimous vote.

Mr. Saball moved to approve the Special Session Minutes of June 26, 2003. Mr. Dillon seconded. Unanimous vote.

Miscellaneous Reappointments

Ms. Wood moved to reappoint Carlton Paul to the Computer Committee for the one-year term to expire June 30, 2004; Steve Mickle and Sarah Hewitt to the Emergency Management Agency for the one year to expire June 30, 2004; Howard Hersey to the Groton Country Club and Recreation Authority to the three year term to expire June 30, 2006; Claudia Saball to the Local Emergency Planning Committee for the one year term to expire June 30, 2004; Peter Myette and Janine Douchette to the Sign Committee for the one year term to expire June 30, 2004; Donald Torgersen, II and Edward McNierney to the Trails Committee for the one year term to expire June 30, 2004. Mr. Dillon seconded. Unanimous vote.

Reappointment – Special Police Officers

Ms. Wood moved to re-appoint the following Ayer Special Police Officers as listed on sheet dated Tuesday, July 22, 2003, and enclosed herein, for the one-year term to expire June 30, 2004. Mr. Saball seconded. Unanimous vote.

Ms. Wood moved to re-appoint the following Dunstable Special Police Officers as listed on sheet dated Tuesday, July 22, 2003 and enclosed herein, for the one-year term to expire June 30, 2004. Mr. Saball seconded. Unanimous vote.

Ms. Wood moved to re-appoint the following Pepperell Special Police Officers as listed on sheet dated Tuesday, July 22, 2003 and enclosed herein, for the one-year term to expire June 30, 2004. Mr. Dillon seconded. Unanimous vote.

Ms. Wood moved to re-appoint the following Westford Special Police Officers as listed on sheet dated Tuesday, July 22, 2003 and enclosed herein, for the one-year term to expire June 30, 2004. Mr. Dillon seconded. Unanimous vote.

Administrative Officer Report

Ms. Kitchen informed the Board that the Portadam for West Groton Pond dredging project was to be delivered this week. She also stated that MRPC will be setting up an open forum sometime in August to discuss open space, economic development, and housing.

Mr. Saball submitted information from a meeting with Senator Kennedy regarding Plane Sense.

Mr. Dillon stated that he would like to see some time scheduled at the end of the meetings for liaison updates from any meetings that the Board member may have attended. Ms. Kitchen stated that the agenda would reflect time for Liaison updates. Mr. Dillon stated that he had met with the Assessors' and that they would like to participate in the Town Meeting more than they had in the prior year; they would like to remain an elected body; and would like to be involved in any taxation issues.

Mr. Saball moved to go into executive session in accordance with MGL Chapter 39, Section 23B for the purpose of discussing litigation and will not reconvene in open session. Ms. Wood seconded. Roll call vote: Mr. Hartnett, Mr. Dillon, Ms. Wood, and Mr. Saball.

The meeting ended at 10:00 p.m.

Approved: _____
John L. Saball, Clerk

Respectfully submitted,
Kathleen Newell, Office Assistant

Date Approved: August 11, 2003

Attachments (2)– NVTHS Budget Explanation, dated July 28, 2003
Special Officer Reappointments, dated Tuesday, July 22, 2003