BOARD OF SELECTMEN
SEPTEMBER 8, 2003
REGULAR SESSION MINUTES
"APPROVED"

Present: Thomas D. Hartnett, Chair; George F. Dillon, Jr., Vice Chair; Peter S. Cunningham, Member; Virginia C. Wood, Member; John L. Saball, Clerk; Administrative Officer Jean E. Kitchen; and Kathleen Newell, Office Assistant. The meeting was called to order at 7:00 p.m.

Presentation of Streamers from Memorial Day Parade by Frank Belitsky on Behalf of the American Legion, Laurence W. Gay, Post #55, Groton

Members of the American Legion were present. Mr. Frank Belitsky presented a streamer from the 2003 Memorial Day parade for the Town Flag. Mr. Frank Belitsky presented a streamer to Mr. Hartnett; Mr. Ed Kopek presented a streamer to Mr. Dillon; Mr. Bob Johnson presented a streamer to Mr. Cunningham; Mrs. Myrtle Murphy presented a steamer to Ms. Wood; Mrs. Maria Belitsky presented a streamer to Mr. Saball; and Mr. Belitsky presented a streamer to Ms. Kitchen, honoring women veterans of all wars. Mr. David Elliott wished to thank Mr. Belitsky for his dedication and work for the American Legion.

Earth Removal Exemption – Bertozzi Farms Subdivision – Townsend Road

Ms. Michelle Collette, Earth Removal Inspector; Mr. Mike Crowley of M.P. Crowley; and Mr. Frank Preston of Whitman & Bingham Associates were in attendance for this portion of the meeting. Ms. Collette stated that the Earth Removal Advisory Committee voted unanimously to recommend the Board grant the Earth Removal Exemption. Ms. Collette stated that the removal was critical to preventing erosion. Mr. Crowley stated that 2000 cubic yards would be transported to Lawrence Academy and the remainder would be distributed to other locations. Mr. Cunningham suggested that Mr. Crowley contact the highway surveyor to see if the material could be of use.

Mr. Cunningham moved to approve a Certificate of Exemption to the Earth Removal By-laws, Chapter 134, Section 10, to Peter Xarras for the removal of 14,638 cubic yards of earth material from the Bertozzi Farms, shown on Assessors Map 205, Parcels 24 & 34, to include the following conditions:

1. *No operating on site before _7:00_ AM or after _5:00_ PM.*
2. *Material taken off site limited to _7:00_ AM to 5:00 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. *Applicant must ensure traffic flow is not impeded during operation.*
7. *Slope of stockpiles not to exceed 2:1.*
8. *Appropriate dust control measures to be undertaken.*
9. *The applicant must comply with the conditions of the Erosion and Sediment Control permit granted on January 7, 2002 and extended on August 27, 2003. In particular the crushed stone construction entrance and hay bales-silt fence barriers must be in place prior to any excavation of the site.*
10. *The retention basin shown on the definitive plan must be constructed first so the drainage system will function properly.*
11. *A portion of the excess material will be trucked to Lawrence Academy as stated by the applicant's representative.*

Ms. Wood seconded. Hartnett, yes; Dillon, yes; Cunningham, yes; Wood, yes; Saball, yes.

Land Taking/Easement – Routes 119 & 225 Intersection

Mr. Robert Lacombe, and a representative of Stamski and McNary, Inc. were present for this portion of the meeting. Mr. Lacombe's representative stated that Mr. Lacombe was requesting a permanent easement as opposed to a taking, stating an easement would create less impact on the future use of the property; and also Mass Highway had approved the plan.

Mr. Cunningham moved to recommend a permanent easement as opposed to a taking fee on Whiley Road, Parcel 2-T-3 for the purpose of widening the road as referenced in the "Preliminary Right of Way" Plan as drafted by GPI, Inc., in concurrence with Mass Highway. Mr. Dillon seconded, unanimous vote.

Finance Committee Appointment – Georgana B. Cochran
Mr. Cunningham moved to appoint Georgana B. Cochran to the Finance Committee for the un-expired term, to expire June 30, 2005. Ms. Wood seconded. Unanimous vote.

Hiring Freeze Discussion
Mr. Steve Webber, Mr. Win Nordblom, Ms. Valerie Jenkins, and Mr. Harlan Fitch were present for this portion of the meeting.
Ms. Kitchen stated that she had drafted a very strongly worded memo, which applies to everyone. Mr. Hartnett requested the memo be amended to add "effective immediately". Ms. Wood stated that the memo did not cover contract labor, i.e. computer administrator position. Ms. Kitchen stated that a contracted position was not an employee. Mr. Cunningham and Mr. Dillon concurred that the memo was a prelude to a very difficult fiscal year. Mr. Cunningham read the memo with emphasis on "We will consider exceptions on a case-by-case basis for those that have an extenuating circumstance."
Ms. Jenkins asked if there would be an open requisition form, in which a department would ask to open a position with a voucher providing her office proof of the Board's approval.

Mr. Cunningham moved to authorize a hiring freeze as drafted in the memo dated September 9, 2003 as amended. Ms. Wood seconded. Unanimous vote.

FY05 Budget Memo
Mr. Win Norblom, Ms. Valerie Jenkins, Mr. Steve Webber, and Mr. Harlan Fitch were present for this portion of the meeting.
Mr. Cunningham read the (4) four guidelines that the memo was asking departments to consider. Mr. Hartnett stated that it was a simplified packet and he and Mr. Cunningham thanked Mr. Webber for his work on simplifying the form, and making them accessible on-line. Mr. Cunningham and Ms. Wood concurred the reason for doing so was the anticipated difficult fiscal year ahead and feel it would be worthwhile for educational purposes. Mr. Hartnett suggested a meeting with each department head to discuss what the Board of Selectmen is looking for. The Board scheduled to meet with the departments on Tuesday, September 16, 2003 at 9:00 a.m. after the memo had been distributed on September 15, 2003.

Approve Conservation Restriction – New High School
Ms. Wood moved to accept the Conservation Restriction for the New High School conservation area shown on plan entitled "Plan of Conservation Restriction in Groton, Mass. Prepared for the Groton Dunstable School District", dated January 2002, by David E. Ross Associates, Inc. Plan No. L-6847-"B". Mr. Cunningham seconded. Unanimous vote.

Review Regular Session Minutes of August 11, 2003
Mr. Cunningham moved to approve the Regular Session Minutes from August 25, 2003 as amended. Mr. Dillon seconded. Unanimous vote.

Mr. Dillon noted that the Wharton Fountain Final Report section had stated that the committee had requested a designee as the keeper of the park, and asked that the Board meet with the Parks Department to discuss it.

Open Special Town Meeting Warrant
Ms. Wood asked why there was a need to post a week before, Ms. Kitchen stated that it gives the staff (4) four days to put the articles in form and correct legalese, then the articles are sent to Town Counsel. Ms. Wood stated that the board would like (2) two meetings to review the articles. Ms. Kitchen stated that they could review them at the September 15, 2003 work session and September 22, 2003 meeting. Mr. Dillon asked the parking capacity of the Middle School and suggested that the Baptist Church be contacted for possible additional parking.

Ms. Wood moved to open the Special Town Meeting Warrant and close it September 16, 2003. Mr. Cunningham seconded. Unanimous vote.

Review Special Town Meeting Dates/Open Warrant
Seat Belt Policy
Mr. Cunningham moved to adopt the Seat Belt & Vehicle Safety Policy. Mr. Dillon seconded. Unanimous vote.

Early Retirement

Ms. Kitchen stated that the Treasurer and Accountant had gathered a list of (8) people eligible for early retirement (2) people have expressed an interest, (1) employee from the Light Department and (1) from the town hall. Ms. Kitchen stated that the Light Department would bear the cost or realize the savings for their employee. Mr. Cunningham asked if this needed to go to town meeting, Ms. Kitchen affirmed. The board recommended that it be limited to the one employee. Mr. Dillon and Ms. Wood concurred that it could be discussed with the department heads when they met with them next week.

Building Committee Appointment – James R. Western

Mr. Cunningham moved to appoint James Western to the Building Committee for the one-year term to expire June 30, 2004. Ms. Wood seconded. Unanimous vote.

Administrative Officer Update

Ms. Kitchen stated that the report from Mill Run had been received, that she had called Mass Highway regarding the sign that was down on Route 225 from which she was awaiting a response, and stated that there was a MRPC meeting on September 12, 2003 at 1:00 p.m., which Mr. Hartnett would be attending.

Ms. Wood moved to adjourn at 9:56 p.m. Mr. Dillon seconded. Unanimous vote.

Approved: _____
John L. Saball, Clerk

_____
Respectfully submitted,
Kathleen Newell, Office Assistant

Date Approved: September 22, 2003