

BOARD OF SELECTMEN
APRIL 5, 2004
REGULAR SESSION MINUTES
"APPROVED"

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

The meeting was called to order at 7:03 p.m.

Earth Removal Exemption Hearing Continuation RE: 111 Farmers Row, Map 7, Lot 5, Parcel 1

Ms. Michelle Collette was present for this portion of the meeting.

Ms. Collette stated Mr. Prescott needed to meet with the Historic Districts Commission and present a calculation from his engineer. Ms. Collette stated when Mr. Prescott applied for an earth removal permit and he was requesting to remove four (4) times the allowable amount of materials. Ms. Collette suggested three options to continue the hearing, to withdraw without prejudice or to deny without prejudice. Ms. Kitchen stated she had spoken with Mr. Prescott and he was not opposed to any board action, provided it would not harm his interest in a future application. Ms. Collette stated it would be premature to issue a permit. Mr. Dillon stated it was unclear if Mr. Prescott had a building permit. Ms. Collette stated Mr. Prescott had purchased the permits with the property. Mr. Dillon asked if the permits were valid. Ms. Collette stated he would need to check with the Building Department. Mr. Cunningham stated it would make more sense to wait final information from the HDC and Building Inspector. Mr. Cunningham moved to deny without prejudice the Earth Removal Exemption application submitted by Robert Prescott for property located on 111 Farmers Row, Map 7, Lot 5, Parcel 1. Seconded by Mr. Dillon. Unanimous vote.

Elected Officials Health Insurance Discussion - Article #14

Ms. Kitchen read a letter of summation from Town Counsel.

Ms. Wood moved to withdraw Article 14 relative to Elected Officials Health Insurance from the Annual Town Meeting Warrant, April 26, 2004. Seconded by Mr. Cunningham. Unanimous vote.

Recreation Department RE: Budget Discussion

Commissioner Neil Cotoni, Mr. Peter DiFranco, Town Accountant Valerie Jenkins and Steve Webber were present for this portion of the meeting.

Mr. Cotoni distributed a copy of the Goals of the Recreation Department (enclosed herein). Mr. Cotoni stated the Commission is ready to move forward and he is looking at nine-month time frame to make the department work. Mr. Cotoni stated he had had an offer to assist in web design and using signup.com to reduce clerical work. Mr. Cotoni expressed a desire to meet with Ms. Jenkins. Mr. DiFranco had submitted a committee interest form for the position of Recreation Commissioner and submitted his resume for the Board's review.

Mr. Hartnett stated he had left last week's meeting with bad feelings and asked the Board members for comments. Mr. Dillon expressed disappointment also, stating he had thought there was understanding and cohesion between the Commissioners, Director and Board of Selectmen, yet it had been stated that the Goals for the Recreation Department had not been articulated by the Board. Mr. Dillon stated it was one thing to not understand the Goals but another to say they had not been brought forth. Mr. Cotoni stated Ms. Judge was in denial. Mr. Dillon stated an email had been generated which was not sanctioned by the Commissioners. Mr. Cotoni stated he had spoken with Ms. Judge and asked her not to generate anything without his approval. Mr. Dillon stated there appeared to be no cohesion and the Board had been given the message to fund it for a year or kill it. Mr. Hartnett asked who the Chairman of the Commission was. Mr. Cotoni stated there were only the two commissioners. Mr. Cunningham stated the Commission was given a six-month budget at the last meeting, which appears to be a workable plan based on programs that are moneymakers. Ms. Wood stated she was not a fan of government funding recreation, however Mr. Cotoni is enthusiastic and she would support the department for six-months. Mr. Saball stated the six-month plan is a good plan, however the Board was hearing from individuals that the plan was a good idea, but there had been no proof the group can work together. Mr. Hartnett stated initially he had been fully prepared to do whatever would be necessary to get rid of the Recreation Department, however he was impressed with Mr. Cotoni and Mr. DiFranco's enthusiasm. Mr.

Dillon stated he still did not have any satisfaction, apparently the director and the other Commissioner do not buy into the six-month plan, and they had said, "either fund for one year or kill it". Mr. Dillon stated the Board needed acknowledgement they (Director & Commissioner) have seen the goals and sign off on them. Ms. Wood stated one Commissioner and an applicant were present and dealing with the Director is their responsibility.

Ms. Wood moved to appoint Peter DiFranco to the Recreation Commission un-expired term to expire June 30, 2004. Seconded by Mr. Cunningham. Unanimous vote.

Mr. Cotoni stated he had had a conversation with Ms. Judge and explained she works for the Commissioners. Mr. Dillon stated he would like to see feedback from the other members stating they have read the goals and agree. Ms. Jenkins stated she was seeing the goals for the first time and suggested the wording be changed to semi-monthly not bi-monthly and checks are to be made payable to the Town of Groton and not the program. Mr. Dillon asked the Commissioners to make a report to the Board of Selectmen prior to Annual Town Meeting.

Nashoba Valley Technical High School RE: Budget

Ms. Beverly Tefft and Mr. Kevin McKenzie were present for this portion of the meeting.

Ms. Tefft submitted a handout to the Board and proceeded to review the contents (enclosed herein). Ms. Tefft stated they had worked very hard on the budget. Ms. Tefft stated there would be three new fall programs: TV Media Production, Theatre Arts, and Cosmetology. Ms. Tefft stated the increases are due to salary and utilities. Mr. Dillon complimented Ms. Tefft on the presentation and asked about the drop in enrollment. Ms. Tefft stated there has been an overall drop statewide in secondary schools, but she believes the ongoing construction is a problem and may be a deterrent to new students. Ms. Wood stated in the original budget, she recalled the Administrator got a significant increase. Ms. Tefft stated the increase was an annuity. Mr. Dillon stated the range of minimum contribution per student is from \$3,400 to \$12,300, and thinks that is unfair. Ms. Tefft stated the minimum contribution is set by the State. Ms. Kitchen thanked Ms. Tefft for listening to the communities. Mr. McKenzie stated there would be an Open House on Wednesday, April 7, 2004 and would encourage parents and students to attend. Mr. McKenzie stated he would like to thank Ms. Shea for the scholarship she set up in her son's name for the top culinary arts student.

Board of Selectmen to Take Positions on ATM & STM Articles

Annual Town Meeting Warrant Articles (enclosed herein).

Article 1 - Support

Article 2 - Support

Article 3 - Ms. Kitchen stated she had not heard from the Personnel Board. Ms. Kitchen asked if she could get a consensus from the Board. Mr. Dillon stated the COLA should be 2.1%, Ms. Wood agreed. 2.1% - Dillon and Wood; 3% - Hartnett, Cunningham and Saball.

Article 4 - 3 support 3%, 2 support 2.1%

Article 6 - Support

Article 7 - *Ms. Wood moved to pull the Brown Loaf Article and put on Special Town Meeting Warrant. Seconded by Mr. Cunningham. Unanimous vote.*

Article 8 - *Ms. Wood moved to pull Article 8 for \$90,000 for a new dump truck. Seconded by Mr. Cunningham. Unanimous vote.*

Article 9 - Support

Article 10 - Support for \$50,000

Article 11 - Support

Article 12 - Support

Article 13 - Support - Mr. Dillon stated he had attended a School Building Committee Meeting. Mr. Dillon stated the dollar figure would need more hard information and the school would sponsor the Article and be responsible for the work. Ms. Karen Riggert stated she would check with HDC and asked if bidding could be sought before Town Meeting. Ms. Kitchen asked if the Board would make a recommendation at Town Meeting. Mr. Cunningham stated he feels the work needs to be done, but it would make sense to have firmer numbers.

Article 14 - pulled

Article 15 - Ms. Wood moved to pull Article 15 as share of upgrade of Pepperell's Waste Water Treatment Plant. Seconded by Mr. Cunningham. Unanimous vote.

Article 16 - Support

Article 17 - Support

Article 18 - Ms. Wood moved to pull Article 18. Seconded by Mr. Cunningham. Unanimous vote.

Article 19 - Community Preservation Act - Mr. Hartnett stated the CPA would impact taxes up to ½ of 1% up to 3% if passed. Ms. Wood stated she had attended a few meetings and thinks it will be good to look at over the summer. Ms. Kitchen asked if the Board would make a recommendation at Town Meeting. The Board affirmed.

Article 20 - Support

Article 21 - 3 Support, 1 Not Support (Hartnett), 1 At Town Meeting

Article 22 - 4 Support, 1 Not Support (Hartnett)

Article 23 - At Town Meeting

Article 24 - At Town Meeting - Ms. Wood stated the hearing was still open.

Article 25 - Support

Article 26 - Support

Article 27 - At Town Meeting

Article 28 - At Town Meeting

Article 29 - Support

Special Town Meeting Warrant (enclosed herein).

Article 1 - Support

Article 2 - Support

Article 3 - A sum of money (landfill capping). Ms. Kitchen stated she needed the figure by Friday.

Article 4 - Support

Article 5 - Support

Article 6 - Support - Ms. Jenkins stated a funding source needed to be specified.

Article 7 - At Town Meeting - Mr. Dillon brought a newspaper article to the attention of the Board regarding Westford and the dumping of garbage in the compost. Mr. Dillon stated he would like the Board of Health to look into the issue.

Article 8 - killed

Article 9 - Ms. Kitchen stated the Board was going to have a public meeting on April 22, 2004 on this realignment

Budget Items for Reconsideration

Library - \$10,000 - Increase in wages - Ms. Kristen von Campe stated the Finance Committee had voted to restore \$10,000 to the library for wages and salaries. Ms. von Campe provided a handout, which she reviewed with the Board. Ms. von Campe stated the Sunday Hours Pilot program had been successful and would ask the Board to consider supporting this. Ms. Kitchen stated the Highway and Police Departments are not paid a premium or overtime for working Sundays and this will create a problem when negotiating contracts.

Mr. Cunningham moved to support the additional funding of \$10,000 of the Library. Mr. Hartnett seconded. 4 in favor, 1 opposed (Saball).

Animal Control - \$1,835 - increase in wages - Support

Weed Control - \$3,500 - increase expenses - Support

Town Diarist - \$333 reduction - Support

Sewer - \$3,666 - 2004 Upgrade - (separate line item) - Support

Fire/EMS - Mr. Webber stated there would be a transfer \$40,000 from EMS to Fire Department which will pay one paid shift. Ms. Jenkins stated the additional money transferred from EMS budget to underwrite the Fire Budget. Mr. Webber stated it would be a bridge plan to get started. Chief Bosselait stated the paid shift position would be filled with call members, which will be less than 20 hours per week. 4 in favor, 1 absent (Wood).

OTHER BUSINESS:

Vote Override Question to be placed on the Ballot - Question #1

Mr. Cunningham moved to authorize the Town Clerk to put the following question on the May 18, 2004 Annual Town Election ballot as follows:

QUESTION 1: Shall the Town of Groton be allowed to assess an additional \$326,651 in real estate and personal property taxes for the purposes of funding the Town share for which the monies from this assessment will be used for the fiscal year beginning July first, two thousand and five?

Seconded by Ms. Wood. Unanimous vote.

Open and Close STM Warrant for May 3, 2004

The Board reviewed the proposed article. Mr. Hartnett stated a Special Town Meeting could conceivably be held within the Annual Town Meeting. Mr. Cunningham stated the reason for having a Special early in the Annual to assure attendance. Mr. Stephen Boczenowski stated there appeared to be confusion amongst the Board and suggested sending the issue to the Town Government Study Committee to review. The Board concurred.

Election Worker Appointment

Mr. Cunningham moved to appoint Joan Cox as Election Worker for the term to expire June 30, 2004. Seconded by Mr. Dillon. Unanimous vote.

Request for Waiver of Road Opening Fees - Whitney Pond Road - Habitat for Humanity

Mr. Stephen Boczenowski and Mr. James Patierno were present for this portion of the meeting.

Mr. Boczenowski stated the Habitat for Humanity was a non-profit organization and receives no government funds.

Mr. Boczenowski requested the waiver of a fee for a trench along Whitney Road of approximately 380 feet.

Mr. Cunningham moved to waive the fee for a trench along Whitney Pond Road for approximately 380 feet. Seconded by Mr. Saball. Unanimous vote.

Request for Waiver of Electrical Permit Fee - Groton Dunstable Building Committee - Peter Twomey Youth Center

Ms. Kitchen stated Ms. Paula Martin told Ms. Kitchen that if the Board were to approve the waiver it would be starting a precedent. Mr. Hartnett agreed stating the electrical inspector gets paid by his fees. Mr. Cunningham asked why the fee could not be charged against the High School renovation projects as the need was generated by the construction project.

Mr. Dillon moved all in favor of not agreeing to the waive the fee. Seconded by Mr. Cunningham. Unanimous vote.

Review/Approve Regular Session Minutes of March 1, 2004, March 22 and Work Session Minutes of March 5, 2004

Mr. Cunningham moved to approve the Regular Session Minutes of March 1, 2004 as amended. Seconded by Ms. Wood. 4 in favor, 1 abstention (Cunningham).

Ms. Wood moved to approve the Regular Session Minutes of March 22, 2004. Seconded by Mr. Dillon. Unanimous vote.

Mr. Cunningham moved to approve the Work Session Minutes of March 5, 2004. Seconded by Mr. Saball. Unanimous

Mr. Cunningham moved to adjourn at 10:13 p.m. Seconded by Mr. Dillon. Unanimous vote.

ADMINISTRATIVE OFFICER REPORT

Ms. Kitchen stated the week of April 19th was a holiday and asked if the Board could meet on Thursday, April 22, 2004 at 6:30 p.m.

SELECTMEN LIAISON UPDATES

Mr. Dillon stated that he and Ms. Kitchen had been negotiating with the Police Union and have made no headway. Mr. Saball asked when negotiations begin. Ms. Kitchen stated in January.

Approved: _____
John L. Saball, Clerk

Respectfully submitted,
Kathleen Newell, Office Assistant

Enclosures (3): ATM Warrant (4/5/2004, 3:33 pm); STM Warrant (4/2/2004, 11:42 am); Goals of the Recreation Department (4/5/2004)

Date Approved: May 3, 2004