BOARD OF SELECTMEN
JUNE 1, 2004
REGULAR SESSION MINUTES
"APPROVED"

Present: George F. Dillon, Jr., Vice Chair; Peter S. Cunningham, Member; Virginia C. Wood, Member (arrived at 7:30 p.m.); Robert W. Nordblom, Member; Administrative Officer Jean E. Kitchen and Kathleen Newell, Office Assistant

Absent: John L. Saball, Clerk

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

Mr. Dillon and Mr. Cunningham welcomed Mr. Nordblom to the Board.

Mr. Dillon stated the Board would defer reorganization until the following week.

Chapter 61A Right of First Refusal - 32 Jenkins Road

Attorney Robert Collins, Attorney Kevin Chenelle, Mr. James Western and Ms. Audrey Western were present for this portion of the meeting.

Mr. Dillon stated the Board had received responses from the Board of Assessors, Planning Board, Water Department and Trails Committee recommending the Town not exercise its right of first refusal. Mr. Dillon stated the Conservation Commission had requested the Board of Selectmen defer making a decision until the Conservation Commission meet on June 8, 2004 to discuss the issue. Attorney Collins stated the property did not meet the statutory requirements for either Chapter 61 or 61A. Ms. Connie Sartini asked if there was a proposed use for the land. Attorney Collins stated he had spoken with Mr. Hicks about plans for the site, a possibility of an over 55 community or a handful of traditional single-family homes are possible. Attorney Collins stated he would contact the Conservation Commission in hopes to meet with them before they make a recommendation to the Board of Selectmen. Mr. Cunningham stated there was a question of whether a portion of Jenkins Road had been discontinued and was not a public way. Attorney Collins stated the language could be clearer, but he believed the portion of road to be an accepted way. Ms. Western stated the road is not wide enough for the proposed project. Ms. Kitchen informed Attorney Collins she had scheduled the Right of Refusal on the Board's agenda on June 14, 2004 at 7:00 p.m.

Gibbet Hill Restaurant Update

Mr. Josh Webber was present for this portion of the meeting.

Mr. Webber explained there had been a conservation restriction placed on Gibbet Hill approximately one to two years ago, with an exception of approximately five acres surrounding the barn areas. Mr. Webber stated the plan was for a restaurant and separate function hall each accommodating 200 patrons. Mr. Webber described the layout of the restaurant as a two-story building with a mezzanine and two-story silo, which would accommodate 6-8 patrons for more private dining. Mr. Webber stated information could be obtained via their website at info@gibbethill.com. Mr. Webber stated the projecting opening date would be October 15, 2004.

Ms. Kitchen asked if there were plans for an area to tie horses for patrons entering from the trails. Mr. Webber stated he had not considered that option.

Board of Health RE: Town of Westford Use of Transfer Station

Dr. Susan Horowitz and Mr. Bruce Dubey were present for this portion of the meeting.

Dr. Horowitz stated before the Town Meeting there had been concern from the Board of Selectmen regarding the use of the landfill by the Town of Westford, citing monitoring and traffic concerns. Dr. Horowitz stated Westford was not interested if the facility was not available on Saturdays. Dr. Horowitz stated the deal would bring $1400/month and Westford anticipated 200 vehicles. Dr. Horowitz stated a need for monitoring which could be overwhelming for the staff especially on Saturdays. Ms. Kitchen stated she had spoken with Highway Surveyor Tom Delaney, who had stated the pile could be moved and he had not anticipated any problems. Dr. Horowitz stated she, Mr. Dubey and Mr. Delaney had not discussed the Saturday issue. Mr. Dubey stated Saturday would be

very hectic adding sixty vehicles. Mr. Dillon stated it was his understanding the use would be seasonal, and further asked if the Board of Health had spoken with Westford regarding numbers. Mr. Dubey stated the numbers came from Lawton, which estimated sixty vehicles on a Saturday. Dr. Horowitz stated the Board had asked Westford for volunteers, however now that Mr. Dubey has a number it may not be a good deal for the Town. Mr. Dillon stated the increase in traffic is certainly an issue. Ms. Wood stated she would be amenable to it if not on Saturdays or if there is a monitor. Dr. Horowitz asked the Board if it would be worthwhile to have senior volunteers to monitor the operation, as the bags would need to be opened and emptied. Mr. Cunningham suggested if the hours were limited to the afternoon on Saturday, traffic issues and need for monitors would be lessened. Ms. Wood and Mr. Nordblom concurred. Dr. Horowitz asked if the Town wants the money and how hard does it want to work for it. Mr. Dubey stated he would speak with the people from Westford to see if they could provide monitors.

Dr. Horowitz informed the Board that a piece of property (Sarandon) on Farmers Row was going to be deeded to the Town, however the property is contaminated with arsenic. Dr. Horowitz stated the land needed to be cleaned up to the Board of Health specifications and the Board of Selectmen needed to be "on board" and have someone present at the BOH's next meeting on June 14, 2004 at 8:30 p.m. Ms. Wood stated she would attend.

OTHER BUSINESS:

Great Pond Management Sub-Committee Appointment

Mr. Cunningham moved to appoint Steven P. White to the Great Ponds Management Advisory Committee for the one-year term to expire June 30, 2005. Seconded by Ms. Wood. 4 in favor, 1 absent (Saball).

Annual Appointments - Animal Control Officer, Earth Removal Inspector, Election Workers, Electrical Inspector, Great Pond Management Advisory Committee, Local Inspector, Moth Superintendent, Sealer of Weights and Measures

Mr. Cunningham moved to appoint R. Thomas Delaney, Jr. as Animal Control Officer and Moth Superintendent for the one-year terms, terms to expire June 30, 2005. Seconded by Ms. Wood. 4 in favor, 1 absent (Saball).

Mr. Cunningham moved to appoint Michelle Collette as Earth Removal Inspector for the one-year term, term to expire June 30, 2005. Seconded by Ms. Wood. 4 in favor, 1 absent (Saball).

Mr. Cunningham moved to appoint Marvin J. Caldwell, Stephen P. Boczenowski, Donna Manley, Geraldine M. Perry, Louise E. Gaskins, Margaret A. Wheatley, and Margot B. Hammer as Election Workers for the one-year term to expire June 30, 2005. Seconded by Mr. Nordblom. 4 in favor, 1 absent (Saball).

Mr. Cunningham moved to appoint Louis D. Shattuck as Electrical Inspector for the one-year term to expire June 30, 2005. Seconded by Mr. Nordblom. 4 in favor, 1 absent (Saball).

Mr. Cunningham moved to appoint John Dee III as Alternate Electrical Inspector for the one-year term to expire June 30, 2005. Seconded by Mr. Nordblom. 4 in favor, 1 absent (Saball).

Mr. Cunningham moved to appoint Francoise D. Forbes to the Great Pond Management Advisory Committee for the one-year term to expire June 30, 2005. Seconded by Mr. Nordblom. 4 in favor, 1 absent (Saball).

Mr. Cunningham moved to appoint Bentley R. Herget as Local Inspector for the one-year term to expire June 30, 2005. Seconded by Mr. Nordblom. 4 in favor, 1 absent (Saball).

Mr. Cunningham moved to appoint Eric E. Aaltonen as Sealer of Weights & Measures for the one-year term, term to expire June 30, 2005. Seconded by Mr. Nordblom. 4 in favor, 1 absent (Saball).

Review/Approve Regular Session Minutes of May 24, 2004

Mr. Cunningham moved to approve the Regular Session Minutes of May 24, 2004. Seconded by Ms. Wood. 3 in favor, 1 absent (Saball), 1 abstention (Nordblom).

ADMINISTRATIVE OFFICER REPORT

Ms. Kitchen stated a part-time custodian would be resigning and asked the Board if she could advertise the position. Mr. Cunningham stated it would be filling an existing position. The Board concurred.

Ms. Kitchen stated she, Mr. Saball and several department heads had attended a seminar on sexual harassment in

Leominster. Ms. Kitchen stated it had been very informative and she would be sharing what she had learned with the various department heads.

SELECTMEN LIAISON UPDATE

Mr. Dillon read an internal memo received from Shanklin Corporation, stating they had agreed to participate in the Adopt-A-Road program, covering the roadway along Westford Road from Sandy Pond to the four corners.

Mr. Cunningham stated there had been concern regarding the silt fencing remaining along the Rail Trail, which has since been removed.

Ms. Wood moved to adjourn at 8:03 p.m. Seconded by Mr. Cunningham. 4 in favor, 1 absent (Saball).

Approved: _____
George F. Dillon, Jr. Vice-Chair

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Respectfully submitted,
Kathleen Newell, Office Assistant

Date Approved: June 7, 2004