

**BOARD OF SELECTMEN
DECEMBER 20, 2004
REGULAR SESSION MINUTES
“APPROVED”**

Present: George F. Dillon, Jr., Chair; Peter S. Cunningham, Vice Chair; John L. Saball, Clerk; **Virginia C. Wood, Member (arrived at 7:22 p.m.); Robert W. Nordblom, Member; Maria Casey, Administrative Assistant and Kathleen Newell, Office Assistant

The meeting was called to order at 7:03 P.M.

Fire Hydrant Committee Update

Mr. Jay Prager, Mr. John Llodra and Mr. Steve Webber were present for this portion of the meeting.

Mr. Llodra stated the Committee was not ready to release its final report as it is awaiting further information. Mr. Llodra outlined the Committee's process for interviewing key stake holders and surveying area towns to determine how they recover the costs of fire protection. Mr. Llodra stated a key observation was that most communities support the fire from the water rate payers not the taxpayers. Mr. Llodra stated Groton was unusual in that it assessed the taxpayers for fire protection. Mr. Llodra stated the current assessment relies on a very complicated formula which is used in Maine. Mr. Llodra stated most benefits from the enhanced system are received by the rate payers and a small group who are not water customers. Mr. Llodra stated the Committee had taken an informal poll regarding assessing vs. rate payers and the Committee informally recommends doing away with the assessment to taxpayers for fire protection. Further the Committee recommends a commission which may take a look at broader areas.

Mr. Dillon stated he had a number of questions but would wait until the report was presented and asked when it would be forthcoming. Mr. Llodra stated the report should be finalized within the next week.

Don Black, Parks Department RE: Bonfire Permit

Mr. Don Black was present for this portion of the meeting.

Mr. Black explained the 350th Anniversary Committee would have a Christmas tree burning beginning at 6:00 p.m. on December 31, 2004 which would immediately be followed by a 350 second fireworks display to start off the 350th Celebration.

I moved to authorize the Fire Department to issue a Bonfire Permit pursuant to CMR 527, Section 10.23 and Mass General Laws Chapter 111, Section 142H to Donald Black, 350th Anniversary Committee, at the Town Field (Lawrence Playground) from 6:00 p.m. to 7:00 p.m. Seconded by Mr. Saball. Unanimous vote.

Mr. Dillon asked Mr. Black to give an update on the 350th Celebration schedule. Mr. Black stated a schedule of events was being updated at the website www.grotonturns350.com. Ms. Casey stated that she had noticed a form available on-line showing the merchandise for sale and prices. Mr. Black stated merchandise was also available for sale at the Assessors office.

Employee Recognition

Chief Joe Bosselait and Mr. James Emslie, Jr. were present for this portion of the meeting.

Mr. Dillon thanked Mr. Emslie for his 30 years of service and dedication to the Town of Groton Fire Department.

Chief Bosselait commended Mr. Emslie and stated he is a true leader and an asset to the Department.

Maria Casey, Administrative Assistant to the Board of Selectmen

RE: Insurance Advisory Committee Appointment &

RE: Class II License Renewals: Frederick A. Miller d/b/a Miller's Classic Cars, 1025 Lowell Road; Robert H. Olson d/b/a Groton Towing Inc., 445 Main Street; Vincent Lemire d/b/a Town Line Auto Sales, 11 Town Line Road

Ms. Casey stated Ms. Wood had requested that the opportunity be open amongst the retirees for representation on the Insurance Advisory Committee; and a letter had been sent to all retirees. Ms. Casey stated Ms. Ann Walsh and Mr. James Downes were interested in the position. Mr. Dillon reviewed the purpose of the committee. Mr. Cunningham stated he

was in favor of Ms. Walsh due to her experience. Mr. Saball stated he supported Mr. Downes as he had worked with him on the police department and thought diversity would be good on the committee. Ms. Wood agreed with Mr. Saball regarding diversity however she supported Ms. Walsh simply because she knew Ms. Walsh's background. Mr. Dillon stated the appointment could be delayed if any of the Board wished to speak to the applicants. Ms. Wood stated she had just wanted to be sure any interested parties had an opportunity to apply. Mr. Nordblom stated he supported Ms. Walsh because of his experience of working with her on the Finance Committee.

Mr. Cunningham moved to appoint Ann Walsh as representative of the Retirees to the Insurance Advisory Committee for the one-year term to expire June 30, 2005. Seconded by Mr. Saball. Unanimous vote.

Ms. Casey stated Classic Cars' special permit was good for only one year and Town Line Auto Sales had had a change in the application which is neither negative nor positive. Ms. Wood asked if all conditions of the Special Permit had been met. Ms. Casey stated that they had. Mr. Cunningham stated he had thought a question had been raised regarding the number of cars that could be kept on site. Ms. Casey stated the original special permit was for eight (8) but the applicant had gone before the Zoning Board of Appeals and had been approved for fifteen (15) cars for his license.

Mr. Cunningham moved to approve the renewal of the following Class II Licenses, licenses to expire January 1, 2006: Frederick A. Miller d/b/a Miller's Classic Cars; Robert H. Olson d/b/a Groton Towing Inc.; and Vincent Lemire d/b/a Town Line Auto Sales. Seconded by Mr. Saball. Unanimous vote.

Public Hearing RE: Proposed Transient Vendor Fee

Ms. Connie Sartini was present for this portion of the meeting.

Mr. Dillon moved to open the public hearing at 7:45 p.m. Seconded by Mr. Cunningham. Unanimous vote.

Mr. Dillon read the Legal Notice which was published December 17, 2004, in the Groton Herald.

Mr. Dillon asked Ms. Casey for an overview. Ms. Casey stated that in anticipation of the 350th Anniversary Celebration she had had attended a meeting with Mr. Don Black of the 350th Committee, the Chief of Police, the Board of Health and Town Clerk and prepared a packet for Ms. Kitchen to review. Ms. Casey stated she had reviewed the Massachusetts General Law and worked with the Division of Standards regarding licensing. Ms. Casey stated that a for a structure with or without a covering a vendor must obtain a state license from the Division of Standards, post a \$500 bond and obtain a local license which the Board of Selectmen approves.

Ms. Wood asked what would happen if the Board were to shelve the issue. Ms. Casey stated that technically that should not be done. Ms. Casey further stated that charitable events were exempt. Ms. Wood asked who the Division of Standards was locally. Ms. Casey stated ultimately the Board of Selectmen and the Sealer of Weights and Measures. Ms. Wood stated that these were local small town craftsmen who would be put out of business if licensing fees were imposed. *Ms. Wood moved to table the conservation.* Mr. Cunningham stated Ms. Wood had raised a good point. Mr. Saball stated there had been no change in the hawker and peddlers license and the fee is for transient vendors. Mr. Dillon stated the transient vendors are those who need to set up structures to display their wares. Ms. Wood raised the issue of Septemberfest and Riverfest. Mr. Cunningham stated the Board gives permission to Septemberfest but does not license the event. Mr. Dillon stated the transient vendors pay a fee to Grotonfest and in addition they would have to obtain a town license and a state license and post a bond to the state. Mr. Saball stated that once the Board becomes aware of a problem it should act upon it. Ms. Casey stated she did not know if Grotonfest was for profit and possibly the vendors could come under the umbrella. Mr. Dillon suggested tabling the topic for additional thought and concerns for Septemberfest, Riverfest and the Firemen's muster. Ms. Connie Sartini stated there are a number of events scheduled for the 350th Celebration, one which would be the most impacted would be Founder's Day where local vendors would be open to offer wares as well as many outside vendors on May 21, 2005. Ms. Wood stated this was a one day event and the maximum penalty is \$20 per day. Ms. Sartini stated it would be a shame to have a fee which eliminates local business. Mr. Saball stated the Board could not differentiate between nice people from Groton and others from other towns. Ms. Sartini asked if the Board could differentiate between events as there was to be a substantial parade in September. Mr. Dillon stated nothing the Board acts upon will impact the hawker and peddlers. Mr. Dillon suggested tabling for further discussion. Mr. Dillon stated Ms. Casey had provided a detailed presentation which had required a lot of work and expressed the Board's appreciation.

Mr. Dillon moved to close the public hearing at 8:00 p.m. Seconded by Mr. Cunningham. Unanimous vote.

Ms. Wood moved to table the discussion on local Transient Vendor Fee until further notice. Seconded by Mr. Cunningham. Unanimous vote.

Harmonious Development, 3 Forge Village Road a/k/a 785 Boston Road

Mr. Steve Catalano, Mr. Lou Russo and Mr. Charles Mihok of Mangel Architects were present for this portion of the meeting.

Mr. Dillon stated that the Board had discussed this project the previous week and Ms. Wood had asked for some clarification which had been submitted and reviewed. Mr. Dillon noted the roof was darker; there were mullions; and panels in the lower section of the front door. Mr. Dillon stated there needed to be a consensus of the Board. The Board agreed to the changes on the plan.

Brad Durrin, Manager RE: Country Club Lease

Mr. Brad Durrin was present for this portion of the meeting.

Mr. Dillon stated the lease had been signed in July 2002. Mr. Nordblom asked if he could take more time looking at the lease as he had questions on the language and insurance i.e. limits, worker compensation. Mr. Dillon stated the Board could address the lease again in January. Mr. Nordblom stated he would like the past 3 to 4 year financial statements. Mr. Nordblom stated the lease could be stronger and he would like to study if a rent adjustment should be made. Mr. Dillon asked Mr. Durrin what his overall perspective on the property was since three years ago. Mr. Durrin stated there have been improvements made i.e. replacement of hardwood flooring in the lounge; replacement of furnace.

Mr. Nordblom asked Mr. Durrin if he would be available in the morning to meet. Mr. Durrin gave Mr. Nordblom his cell phone number for contact.

Edie and Burt Tompkins RE: First Night

Mr. Burt and Ms. Edie Tompkins were present for this portion of the meeting.

Mr. Tompkins stated the Groton Center for the Arts would be hosting the First Night Celebration. Mr. Tompkins explained the First Night is an international organization of which the Groton Center for the Arts holds a license which is maintained from year to year. Mr. Tompkins stated the First Night Celebration is a celebration, tribute and presentation of the arts for the family and all arts are represented in the various activities and events. Ms. Tompkins stated the theme was "Passport to the Arts" and passports (tickets) can be purchased in advance of the event. Mr. and Ms. Tompkins reviewed the events, schedule and contributors. Ms. Tompkins stated there was a tremendous committee which worked to put this event together and they had received tremendous support from the business community. Mr. Cunningham asked if there were a schedule available. Ms. Tompkins stated the schedule was accessible on line at www.grotoncenterforthearts.org. Mr. Tompkins stated "passports" would be on sale starting Wednesday at the contributors: Moison's, Donelan's, Main Street Café, and participating realtors for \$10/adults and \$5/children (under 10), and also available at the town hall "Embassy" on the day of the event with a slight increase in cost \$12/adults and \$6/children (under 10) and children under 3 free.

OTHER BUSINESS:

1. Appointment Finance Committee – Jay Prager

Mr. Cunningham moved to appoint Jay Prager to the Finance Committee for the vacant unexpired 3-year term, term to expire June 30, 2005. Seconded by Mr. Saball. Unanimous vote.

2. Appointment Community Preservation Committee – Robert DeGroot

Mr. Cunningham moved to appoint Robert DeGroot to the Community Preservation Committee as Historical Commission Representative for the three-year term to expire June 30, 2007. Seconded by Mr. Saball. Unanimous vote.

3. Common Victualler License – Gibbet Hill Function Hall

Ms. Wood recused herself from the meeting to avoid the appearance of a conflict of interest.

Mr. Cunningham moved to approve the Common Victualler License, to serve All Kinds of Alcoholic Beverages, for Gibbet Hill Grill, LLC d/b/a Gibbet Hill Grill Function Hall, at 61A Lowell Road, Thomas Totman, Manager, license to expire December 31, 2005. Seconded by Mr. Saball. 4 in favor, 1 abstention.

Selectmen Liaison Update

Mr. Dillon stated the Chapter 40B workshop was tentatively scheduled for January 18, 2005. Mr. Dillon stated the Town Hall would be closed December 24th and December 31st in observance of the holidays and the next scheduled Board of Selectmen's meeting would be held on January 3, 2005.

Mr. Cunningham stated that he, Mr. Dillon, and Mr. Saball had attended the Town employee Christmas party and had an enjoyable time and thanked Ms. Barbara Cronin for organizing the event.

The meeting adjourned at 9:25 P.M.

Approved: _____
John L. Saball, Clerk

respectfully *submitted*,
Kathleen Newell
Office Assistant

Date Approved: January 3, 2005