

**BOARD OF SELECTMEN  
OCTOBER 3, 2005  
REGULAR SESSION MINUTES  
“APPROVED”**

**Present:** George F. Dillon, Jr., Chair; John L. Saball, Vice Chair (arrived at 7:36 p.m.); Peter S. Cunningham, Member; Mihran Keoseian, Member; Administrative Office Jean E. Kitchen; and Kathleen Newell, Office Assistant

**Absent:** Robert W. Nordblom, Clerk

The meeting opened at 7:02 P.M.

**Open STM Warrant**

(Article enclosed herein.)

*Mr. Cunningham moved to open the Special Town Meeting Warrant of October 24, 2005 for the inclusion of the Groton Dunstable Regional School District article and close immediately. Seconded by Mr. Keoseian. 3 in favor, 2 absent (Nordblom and Saball).*

**Joint Public Hearing with Finance Committee RE: STM Warrant Articles**

STM Warrant enclosed herein.

[ X ] 1. Hearing Opened at 7:05 P.M.

*Mr. Cunningham moved to open the hearing at 7:05 p.m. Seconded by Mr. Keoseian. 3 in favor, 2 absent (Nordblom and Saball).*

[ X ] 2. Read Legal Notice  
Published September 23, 2005

[ X ] 3. Query audience for support either written or in person.

[ X ] 4. Query audience for objection either written or in person.

[ X ] 5. Hearing Closed at 7:58 P.M.

The Finance Committee convened its meeting.

The Board of Selectmen and Finance Committee reviewed the Special Town Meeting Warrant Articles for October 24, 2005 as follows:

Article 1 – Prior Fiscal Year bills

Article 2 – SEIU Local 888, Highway, Water, Transfer Station Contract for FY2006-2008. Mr. Dillon summarized the changes in COLA and added steps.

Article 3 – COLA for By-Law Employees

Mr. Dillon noted that negotiations were still ongoing with the Police Department and a new union had been recognized comprised of approximately 45 employees from the Town Hall and Library.

*Mr. Dillon moved to approve a 2.5% cost of living adjustment for FY06 for the Personnel By-law employees. Seconded by Mr. Cunningham. 3 in favor, 2 absent (Nordblom and Saball).*

Article 4 – COLA for Elected Officials

Article 5 – Municipal Parking lot

Article 6 – Snow and Ice Budget

Article 7 – Stabilization Fund

Article 8 – Capital Stabilization Fund

Article 9 – Community Preservation Act Warrant Articles

Mr. Mike Roberts stated that there had been 11 proposals that the CPC had reviewed totaling \$650,000 and there was \$400,000 in available funds. Mr. Roberts stated that the CPC would be sending letters to those applicants whose projects did not get funded this year. Mr. Roberts stated that 6 projects had been selected for funding and reviewed those as follows:

CPC-002 - \$185,000 for Community Preservation Open Space

CPC-003 - \$18,000 for Historical Document Restoration. Mr. Dillon asked what the total would be for the total document

restoration. Mr. Roberts stated approximately \$82,000.

CPC-004 - \$81,000 for Nine Affordable Units at Rock Ridge – Ms. Kitchen asked if the monies would be used to lower the purchase price. Mr. Roberts stated it would be used to lower the mortgage.

CPC-006 – \$23,190 for Sargisson Beach Docks – Mr. Roberts stated the docks would be replaced and swimming lessons may resume in 2006.

CPC-007 - \$22,500 for Groton Community Wide Preservation Project – for the first segment to complete a community survey of at least 150 structures and/or resources in the Town.

CPC-009 – Fitch’s Bridge – \$60,000 professional engineering design for the restoration of Fitch’s Bridge

Mr. Peter DiFranco, Recreation Commission, asked if the letters sent out would explain why the projects were rejected. Mr. Roberts stated that there would be areas identifying where the projects could be improved.

Ms. Kitchen stated that she needed the exact amount of funds spent and allocated for the motion.

Article 10 – Excess & Deficiency - Mr. Cunningham asked if there were a number. Mr. Dillon stated approximately \$110,000

Article 11- Assessor’s Exemption for the Disabled

Article 12 – Wharton Row

Article 13 – Code- Electrical

Article 14 – Code- Junk Collectors

Article 15- Code – Solicitation and Peddlers

Article 16 – Sewer – Ms. Kitchen stated that an amended version had been submitted and it would not include Map/Parcel 222/70. Mr. Jim Gmeiner stated that another amended version would be submitted as they would not be going to Peabody Street. Mr. Gmeiner stated that the cost would be borne by the residents receiving the service.

Article 17 – Sewer

Article 18 – Sewer

Article 19 – GMAC – Mr. Webber stated that the last sentence was not needed. Mr. Cunningham agreed, but stated that the net effect would be to add (2) members to be appointed by the Moderator. Mr. DiFranco asked what the role was of the Committee. Mr. Cunningham read the committee charge.

*Mr. Saball moved to close the hearing at 7:58 p.m. Seconded by Mr. Cunningham. 4 in favor, 1 absent (Nordblom).*

### **John Estabrook, Maintenance Supervisor RE: Energy Conservation**

Mr. Estabrook distributed a “Budget for Energy Usage” and reviewed its contents (enclosed herein).

Mr. Estabrook noted the following:

- There is a contract price for heating oil which is negotiated in conjunction with the school district.
- GELD will only increase 10%
- Needs to determine when to lock in on natural gas.

Mr. Keoseian asked if Mr. Estabrook had considered doing an energy audit and stated that he would like to see a more definitive plan of long term goals. Mr. Cunningham suggested identifying a person in each building who would be responsible for monitoring. Mr. Dillon suggested a follow up meeting. Mr. Keoseian suggested a meeting in December at which some concrete examples and clear long and short terms goals could be presented. Ms. Kitchen stated a memo could be distributed that the thermostat would be lowered and to dress accordingly.

Mr. Estabrook asked if he should lock in the natural gas price. Mr. Dillon stated he did not have enough information and asked Mr. Estabrook to coordinate with Ms. Kitchen.

### **Groton Dunstable School Committee RE: Warrant Article**

School Superintendent Alan Genovese; Business Manager Craig Young; School Committee Chair Chuck McKinney and members of the School Committee were present for this portion of the meeting.

Mr. McKinney distributed a copy of the Notice of Docket Entry for Casella #2 Realty Trust v. Groton-Dunstable Regional School District (enclosed herein).

Mr. McKinney reviewed the following:

- A recap sheet must be submitted to DOR in order for the tax rate to be set.
- If an appeal is pursued it will not be resolved before the end of FY06.

- An order was given by DOR on what should be paid.
- Not in receipt of any communication from DOR which quotes any regulation upon which they are basing this decision.

Mr. Dillon stated that he had also attended the meeting and Mr. Johnson was very adamant about what he wanted and came across as having a strong opinion despite persuasive arguments.

Dr. Genovese clarified the current position stating it is a two step process; the Board of Selectmen chose to have a STM to authorize the debt and the School Committee works in concert with the two communities to what needs to be done so that the tax rate may be set.

Mr. Keoseian stated it would be irresponsible to try to fight the DOR and this would be an authorization to incur debt not setting the tax rate. Mr. Keoseian stated that we concur to take whatever action is necessary.

Mr. Cunningham agreed, but suggested that there be some communication of displeasure of the rigid interpretation of the action taken by the DOR. Representative Robert Hargraves suggested that the School Committee take its vote and then there were procedures which could be followed to get to the appropriate parties.

Ms. Kitchen asked if the article could be worded "up to 2.5 million". Dr. Genovese stated the motion would include "up to" and they are using the amount specified by Jim Johnson. Dr. Genovese stated that their counsel believed the amount to be up to the school committee and would be in the certified vote.

#### **Paul Funch, Trails Committee RE: Trail Post at Cul-de-sac on Saddle Lane**

Mr. Funch, Mr. Joel Renninger and Ms. Bernice Renninger were present for this portion of the meeting.

Mr. Funch stated that he was representing the Trails Committee and had been marking the entrances for trails; however the only distinction of this parcel was that the conservation land is approximately 75 feet from the road.

Mr. Saball asked if Mr. Funch had spoken with the Highway Surveyor. Mr. Funch stated that Mr. Delaney had no concerns with the property.

Ms. Renninger stated that the cul-de-sac had not been completed and that had placed their property frontage 40-feet behind the town-owned property. Ms. Renninger stated that she was willing to compromise on the location if a sign is really necessary. Ms. Renninger stated that Saddle Lane is approximately ½ mile long and there are currently (2) signs and posts showing the trail and she considered the proposed sign excessive. Mr. Funch stated that the trail head signs were to invite the public to use the land. Mr. Renninger stated they were asking for a simple compromise, by placing the sign in the rear on the conservation land. Mr. Cunningham asked what the detrimental effect was. Ms. Renninger stated the sign made it look like the trail began in their front yard. Mr. Saball asked for a point of order if a vote or consensus was needed. Ms. Kitchen stated that a consensus would be fine. Mr. Dillon suggested sign be placed back where the existing posts were located. Mr. Keoseian stated he could not support additional posts. Mr. Saball stated that the Trails Committee did a good job making the trails accessible and appropriate signage will ensure no trespassing. Mr. Cunningham asked if there was a problem with where the posts were currently located. Ms. Renninger stated it would be minimal. Mr. Cunningham stated that the posts are visible and did not agree that it would be a major impediment or issue. Mr. Dillon stated that a sign would draw attention to the existing location. Mr. Funch asked if it were to be placed on Conservation Land.

*The Board concurred 3 – 1 (Saball) against locating new posts on the Town owned property at Saddle Lane.*

#### **Onorina Maloney, Town Clerk RE: Clerical Assistant**

Ms. Onorina Maloney and Ms. Sheila Nash were present for this portion of the meeting.

Ms. Maloney stated that she had had numerous applications for the position and felt that Ms. Nash was the most qualified.

*Mr. Saball moved to approve the hire of Sheila Nash to the position of Town Clerk Clerical Assistant, effective October 7, 2005 at Grade 4, Step 1. Seconded by Mr. Cunningham. 4 in favor, 1 absent (Nordblom).*

#### **OTHER BUSINESS**

##### **Sign Public Works Contract**

*Mr. Saball moved to execute the Successor Collective Bargaining Agreement for Public Works Union (SEIU, Local 888), covering the term of July 1, 2005 to June 30, 2008, contingent upon town meeting vote. Seconded by Mr. Cunningham. 4 in favor, 1 absent (Nordblom).*

## Review 2005 License/Fees

The Board members reviewed the current License/Fees list (enclosed herein) and reached a consensus to take no action.

## Take Positions on Articles

Article 1 – 4 support

Article 2 – 4 support

Article 3 – 4 support

Article 4 – 4 support

Article 5 – 4 support

Article 6 – 4 At Town Meeting

Article 7 – 3 At Town Meeting, 1 Support (Cunningham)

Article 8 – 3 At Town Meeting, 1 Support (Cunningham)

Article 9 – CPA 2005-02 – 4 support

CPA 2005-03 – 4 support

CPA 2005-04 – 1 support, 2 At Town Meeting, 1 not support (Keoseian)

CPA 2005-06 – 4 support

CPA 2005-07 – 3 At Town Meeting, 1 not support (Keoseian)

CPA 2005-09 – 4 at Town Meeting

Article 10 – 4 Support

Article 11 – 4 Support

School Article (to be included in next version) – 4 Support

Article 12 – 4 Support

Article 13 – 4 Support

Article 14 – 4 Support

Article 15 – 4 Support

Article 16 – 3 Support, 1 at Town Meeting (Saball)

Article 17 – 4 Support

Article 18 – 4 Support

Article 19 – 4 Support

## Minutes

*Mr. Saball moved to approve the Regular Session Minutes of September 12, 2005. Seconded by Cunningham. 4 in favor, 1 absent (Nordblom).*

## **ADMINISTRATIVE OFFICER REPORT**

Ms. Kitchen stated that she had been contacted by Verizon and they were on schedule for October 7, 2005.

## **SELECTMEN LIAISON UPDATE**

Mr. Cunningham stated he had attended a meeting with at the Housing Partnership and there had been some affordable units which had been assumed to be deed restricted, but the units had been conveyed at market rate and 5 units had been lost from the Town's inventory of affordable units. Mr. Dillon asked if the units had been lost through a loophole. Mr. Cunningham stated that the families had purchase the houses as affordable units and the deed restriction should be bulletproof. Mr. Dillon stated that the Board should go on record as saying this needs to be reviewed. Ms. Kitchen stated she would send a letter to DCHD with a copy to all interested parties.

Mr. Saball moved to adjourned at 9:50 p.m. Seconded by Mr. Cunningham. 4 in favor, 1 absent (Nordblom).

Approved: \_\_\_\_\_  
George F. Dillon, Jr., Chair

\_\_\_\_\_  
respectfully submitted,  
Kathleen Newell  
Office Assistant

Enclosures (5): Draft Version #2 STM Warrant October 24, 2005  
GDRSD – Borrowing Authorization Article and Motion  
Notice of Docket Entry – Casella #2 Realty Trust v. GDRSD  
Budget for Energy Use  
Photographs (3) Conservation Land Saddle Lane

Date Approved: November 14, 2005