

**BOARD OF SELECTMEN
MINUTES AUGUST 27, 2007
APPROVED**

Present: George Dillon, Jr., Chairman; Stuart Schulman, Clerk; Peter Cunningham; Mihran Keoseian

Absent: Joshua A. Degen, Vice Chairman

Also Present: Jeff Ritter, Interim Administrative Officer; April Iannacone, Office Assistant

Mr. Dillon called the regular meeting of the Board to Order at 7:05 p.m. and reviewed the agenda for the public.

Building Committee RE: Request for Proposals (RFP) for Squannacook Hall Renovations Feasibility Study

Michelle Collette addressed the Board of Selectmen (BOS) and announced that Richard Chilcoat of the Building Committee was also present to help answer any questions. The Building Committee has prepared a RFP that they feel is ready for advertisement in the Central Register. The RFP created was based on the 2002 Lost Lake Fire Station RFP. Ms. Collette then reviewed some of the Feasibility Study Deliverables that the committee was looking to gain from this study. She stated that the committee was not looking for any kind of architectural design plans only the feasibility study as the BOS had requested. Mr. Dillon asked Ms. Collette if they should put in the RFP “contingent upon approval of the CPA application for funds.” Ms. Collette responded that she was not certain. They might want to make that change, but that they definitely would not sign an agreement to hire until they had approval. Mr. Dillon also asked about the separation of utilities for the first and second floors. Ms. Collette stated that it definitely could be something that they look into. Mr. Schulman referred to the conceptual cost estimate and stated that it might be beneficial to possibly get different levels of costs for 2-3 different levels of renovation. Mr. Cunningham stated that he felt the introduction section should include a brief disclosure statement about funding. He also referred to the Recreation Department supplies still in the building and suggested that the Building Superintendent go to the hall to either give it to the boy scouts to sell at the firemen’s muster or get rid of. Mr. Cunningham then stated that he has received interest from a community arts organization looking to lease the space to do a program next spring. He felt that if the hall could be brought to use it would be useful. Ms. Collette stated that there have been discussions on meeting scheduling and shortages of meeting space. The Building Committee feels that if the building could be used in a limited fashion for now there would be benefits to having the building occupied. She also gave thanks to the Boy Scouts who have taken good care of the building. Mr. Keoseian stated that he felt that points 1-8 cover the site walk discussion and should be sufficient to get an idea of where things stand and he is ok with the RFP. Mr. Lyman asked if the Board was going to vote to open the hall this evening. Mr. Dillon responded that the Board still needed additional information before discussing opening the hall.

Mr. Schulman moved to approve and accept the Request for Proposals for the Squannacook Hall Renovations Feasibility Study. Mr. Cunningham seconded. Unanimous vote.

Attorney Bob Collins RE: Lost Lake Dam Eminent Domain Taking

Mr. Collins addressed the Board and stated that he has been working with Sherin Everett at Kopelman & Paige (K&P) to tie up loose ends on the long process of the Lost Lake Dam Eminent Domain Taking. They have created an Order of Taking that is ready for signatures. Signing this Order of Taking would be the final step that will lead to the additional things discussed such as the land donation & financial donation of \$20,000. Mr. Collins requested that the BOS vote to take the dam and then sign the Order of taking. The BOS will then hold the document for the next week or two so that Town Counsel can provide additional input. Mr. Dillon asked if the Lost Lake Dam gift fund had been established and Mr. Collins confirmed that it had. Mr. Collins stated that the Memorandum of Understanding had been complete, the

Conservation Trust had been submitted the end of the past Fiscal Year (FY) and that the \$20,000 donation will be coming as soon as the dam taking has been completed. Mr. Dillon asked what Sherin had to say about the Order of Taking. Mr. Collins stated that she had prepared the document. Mr. Dillon requested that Mr. Ritter follow up with an email to Sherin to confirm that she had reviewed the document and that it met her approval. Mr. Dillon then referred to the Indemnification that Mr. Collins had submitted for the document. Mr. Collins stated that he did all of the research into all landowners and if there was an owner missed that for whatever reason tried to assert ownership of the dam he would indemnify the Town from responsibility. Sherin had requested that TABCOM do this however they felt that since they didn't own anything that they weren't responsible. According to the Memorandum of Understanding there were two obligations that were contingent upon the taking, the gift of \$20,000 and the gift of land. The BOS were sent a plan showing proposed land areas that should be able to be put together within about a month. Mr. Ritter will set up a meeting. Mr. Cunningham noted that whatever work that occurs down there will now be subject to Areas of Critical Environmental Concerns (ACEC) regulations and that DCR should be in the loop. The BOS thanked Mr. Collins for all of his work.

Mr. Schulman moved to accept the Eminent Domain taking of the Lost Lake Dam for the Town of Groton. Mr. Cunningham seconded. Unanimous vote.

Fire Chief Joseph Bosselait RE: Staffing for Adequate Fire and Response (Safer) Grant

Fire Chief Joe Bosselait addressed the Board to inform them about the Safer Grant which he would like to apply for. The Federal Government has offered this grant for the past few years. The grant is designed to focus on trying to help pay to phase in Fire Fighters and EMT's to help achieve adequate staffing for 24 by 7 coverage. The money awarded will be divvied up over 4 years. The one main condition is that the Fire Department (F.D.) must maintain the current level of staffing at the time of application throughout the 5 year grant cycle. The cost breakdown that the Chief gave the BOS was based on the assumption of 2.75 cost of living adjustment (COLA) estimated for each year for the salaries. Insurances were also based on a family plan so that the estimated costs accounted for the worst case but the actual figures could end up being lower. The goal would be to increase one full time Fire Fighter/EMT up to coverage of 5. The F.D. has three full timers right now. Mr. Cunningham stated that this was not the first time they had applied for the grant. Chief Joe confirmed that this was not the first time but the Town had never been awarded any funding. This is a Federal Program across the country and they have to keep trying until the Federal Government determines that the Town will receive funding. The competition is so strong across the country and some departments get granted for 26 new people. If the money was divvied up more equally then more departments could end up with funding. If they get the announcement that they have been accepted for the funding it could be a while before the process would actually take place. Mr. Dillon asked if the Grant would be effective for FY 09 if we were approved. Chief Joe confirmed that it would be for FY 09. The Town is given a 6 month window to start using the funding before it would have to be returned. Mr. Keoseian stated that he felt that this process was really in alignment with our own budget process. Having the grant deadline earlier gives the Town the opportunity to at least get into the process and he encouraged Chief Joe to try to go after it full force. Mr. Ritter congratulated the Chief for his aggressive searching and applying for these funds. Chief Joe then announced to the public that the F.D. would be holding its annual Labor Day parade and muster activities. At 10:00 they would line up at the Senior Center to view trucks. Then the parade would take place ending at the H&V field for food and muster games at 1:00. There would be bake sales and the Boy Scouts yard sale. Chief Joe is working to help make this a community event and not just a F.D. event. Mr. Dillon gave thanks to all who help make this event possible.

Board of Library Trustees RE: Representation of Town of Groton, Danti, Mianulli and Carr RE: Grant of Easement

Library Director Owen Schuman addressed the Board to discuss the history of this grant of easement and where things were headed. A few years ago when the renovations to the Library were done it was

determined that the Town needed to buy or receive a piece of land from 103-105 Main Street to create a walkway to be up to code. The process was started the process got tied up and then never got completed. The condo is now being sold and K&P is re-opening the process to change the land to Town ownership. The new owners of the condo are willing to let K&P also handle their end of the deal. The process now has to go through land court which will take a while. Mr. Cunningham stated that Town Meeting had approved the taking. Ms. Schuman replied that things got dropped in 2005 somewhere in the process in land court because there were 5 mortgages on the property. The new buyers have only one mortgage and they felt it was a new opportunity to bring it back out. K&P can also represent all parties involved. The License of Agreement was redrafted for 2007 to change dates and a few minor things from 2005 to present. Ms. Schulman also stated that the Library had agreed to pay all legal fees and there would be no cost to the Town. Mr. Cunningham stated that if this was supposed to have taken place back in 2005 and K&P dropped the ball on completing things then we should look into getting some form of discount on the legal fees. The BOS then consented to sign the document that Ms. Schuman needed for Kopelman & Paige at the end of the meeting.

Bruce Easom RE: Request for Proposals (RFP) for the Squannacook River Rail Trail Environmental & Engineering Assessment Services

Mr. Easom addressed the Board to request approval on his RFP for this assessment. This is the next step in determining if the trail can be built and is part of the process for obtaining state funds for doing the design. The draft of the RFP is a mirror image or parallel document to Townsend's proposal. Mr. Easom stated that he has requested input from Tom Delaney and the Community Preservation Committee (CPC). The only comment from the CPC was that on page 5 they would strike paragraph 6b. Tom's only question was why Mr. Easom was making this so complicated because this is a typical process for something \$25,000 and over. Mr. Easom's response was that he was keeping the process the same in Groton as it was being done in Townsend. The hope is that when Townsend approves a company and accepts a final report that the report can be done as one document for both towns. This will provide not only a cost savings to the towns for using the same company, it will help our chances of gaining state approval due to the cooperation of both towns. He is looking to release the RFP in conjunction with Townsend. Mr. Schulman then recommended that we not change too much of the document if we are looking to stay with Townsend on this. Mr. Dillon then questioned the remediation of the environmental liability. Mr. Easom stated that with this study the MBTA would not allow any soil disturbance. The draft of the 2003 lease agreement from the MBTA for the 85 year lease for \$1 states that the Town is responsible. If the Town decides to use Mass Highway to build the trail they will then take responsibility. If the Town decides to use a private contractor then additional insurance would be needed. Mass Highway might not be the lowest option but it might be worth the environmental liability that they will give. However, until the Town signs the lease agreement the MBTA is still responsible. Number nine of the proposal will also look at what abutters have to say about the project. Public comment will be important in providing a sketch of the proposal. Mr. Dillon then commended Mr. Easom for his efforts in making sure that this is a document that is concurrent with Townsend. He thanked him for all of his hard work and efforts.

Mr. Schulman moved to approve and accept the Request for Proposals for the Squannacook River Rail Trail Environmental and Engineering Assessment Services. Mr. Cunningham seconded. Unanimous vote.

OTHER BUSINESS

Appointment of Erich Garger to the Weed Harvester Committee

Mr. Cunningham asked about the status of the Committee as to whether or not it was still functioning and whether the harvester was up and being used. Mr. Dillon stated that the harvester had been worked on and is floating and functioning and the Committee has still been meeting. Mr. Dillon also complimented Bob Watson and his committee of volunteers for their great work.

Mr. Schulman moved to appoint Erich Garger to the Weed Harvester Committee for the one year term, term to expire June 30, 2008. Mr. Cunningham seconded. Unanimous vote.

Mass Recycles Paper Resolution/Proclamation

Mr. Dillon announced that the BOS was asked to sign a proclamation promoting the Mass Recycles campaign. He then read from the proclamation that the Board would be signing. He also noted that in Fiscal Year 07 Groton was recycling at a rate of 51% and should be commended for doing so.

Mr. Schulman moved to approve and sign the Proclamation for the Mass Recycles Paper Campaign. Mr. Cunningham seconded. Unanimous vote.

Set Special Town Meeting (STM) Date for October 22, 2007 and Open the Warrant from Tuesday, September 4th – Wednesday, September 12th

Mr. Ritter referred the Board to the materials in their packets. He is requesting that the date of the STM be set for Monday, October 22nd. He has checked with all necessary parties who have confirmed that they are available that date and time. He has also reserved the theater and has included a list of articles that are already known to be submitted. He has discussed the process with April and she has agreed to work with him in order to complete this Warrant. Mr. Dillon stated that there would likely be additional transfers of appropriation needing to be made. Mr. Cunningham stated that by this date the assessors will be done, new growth will be done and free cash will be certified by then. Mr. Ritter then informed the Board that a timeline and check list was being used to provide more direction about how to go about actually submitting the document. The form was created to make sure that we gather as much information as possible when the article is being submitted rather than the BOS having to go researching the details. Mr. Dillon stated that the letter going out to all was very good and captures a lot. Mr. Cunningham suggested that Citizen's Petitioners check with the Selectmen's Office for direction also.

Mr. Schulman moved to set the date for the Fall Special Town Meeting for Monday, October 22, 2007 and open the Warrant form Tuesday, September 4th through Friday, September 14th at 12: p.m. Mr. Cunningham seconded. Unanimous vote.

REPORT OF THE INTERIM ADMINISTRATIVE OFFICER

Mr. Ritter announced that he had received a resignation from Michael Tusino the Building Commissioner. He will be taking a position with the Town of Framingham as Deputy Building Commissioner. He has confirmed with Don Kinney that he is willing and able to fill in full time until approximately October 1st or until a new person is hired. Mr. Dillon referred to the handout stating that there been a significant decrease in permits and taking a look at the possibility of changing the combined job of enforcement officer and building inspector to two separate positions. He felt it best to make sure that the individual is one who can do both jobs. Mr. Ritter discussed this with Josh as the liaison to the department and he felt that if they were to change, in terms of creating them as one or splitting it out as two positions that now would be the time to do so. Mr. Dillon stated that if it were to be split as two positions that it would have to be a full time Building Inspector and then they would have to find someone capable and willing to work minimal part time hours.

SELECTMEN LIAISON REPORTS

Mr. Keoseian announced that last Thursday he had attended a School Committee Facilities building meeting at Florence Roach. There have been meetings held at various schools and they have been taking tours. His role will be Prescott School. He will be preparing a punch list for the board reporting implications in size and any other issues. He also reported that he and Fran would be attending a personnel workshop given by Elizabeth regarding Performance Evaluations. Mr. Cunningham asked Mr. Keoseian if the Facilities Task Force had current projections or if they were going to get them. Mr. Keoseian responded that they do have numbers but they will be researching and pushing for more solid

numbers. They are looking at numbers for the facilities needs for renovating and updating, not necessarily for a new building.

Mr. Cunningham announced that the Blue Ribbon Governance Committee had met this past Thursday with the Board of Health, the Board of Assessors and the Water Commission which would be going from Elected to Appointed. They will be meeting again on Wednesday at 8:00 for further discussions. The document is pretty much complete and they will now be looking to the BOS for input before this goes to Town Meeting.

Mr. Dillon announced that he attended the meeting last Wednesday with the Department Heads where the Blue Ribbon Governance Committee made an excellent presentation. There was good participation from all who attended and there were many good suggestions brought up. Also the Station Ave. Redevelopment Sub Committee concluded the work that they had to do and a basic overlay zoning document. This document is being submitted to the Planning Board and it was agreed last Thursday that it was ready for Town Meeting. He had attended the Great Ponds meeting that was presented by the DCR and Environmental Group. There were approximately 150 people who attended including surrounding towns. Anyone living on any of the 5 or 6 great ponds in the area need to register for a permit for their docks by December 11, 2007 at a cost of \$65 to the State general fund. Mr. Dillon was asked who was supposed to act as Harbormaster. He responded that the response from the State Representative was that unless designated otherwise that the BOS would hold the position collectively, not the Chair. Mr. Schulman asked if a violation was found which agency would have the power to do something about it. The answer was unclear at this time.

OTHER BUSINESS CONTINUED

Mr. Cunningham moved to approve the minutes of August 13, 2007. Mr. Schulman seconded. Unanimous vote.

The Board noted that April's preparation of the minutes was well done, timely and very informational.

EXECUTIVE SESSION

Mr. Schulman moved to enter into Executive Session at 8:32 p.m. in accordance with MGL Chapter 39, Section 23B, for the purpose of discussing certain provisions of an employment agreement (contract) and will reconvene in Open Session for the purpose of adjourning. Seconded by Mr. Cunningham. Roll Call Vote: Dillon – yes; Schulman – yes; Cunningham – yes; Keoseian – yes.

Approved: _____
Stuart Schulman, Clerk

_____ respectfully submitted,
April Iannacone
Office Assistant

Date Approved: *September 4, 2007*