

**BOARD OF SELECTMEN
MINUTES FEBRUARY 25, 2008
APPROVED**

Present: George Dillon, Jr., Chairman; Joshua A. Degen, Vice Chairman; Stuart Schulman, Clerk; Peter Cunningham;

Absent: Mihran Keoseian

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

Mr. Dillon called the regular meeting of the Board to Order at 7:00 p.m. and reviewed the agenda for the public.

Owen Smith Shuman, Library Director & Susan Hughes, RE: “Groton Reads”

Owen stated that this was the 4th year for the Groton Reads Program and the book for this year is A Walk in the Woods by Bill Bryson. The Groton Public Library Trustees would be hosting 6 events in different woods around town to get people back out to explore and rediscover open places. They have created 6 posters with important people in town at their favorite spots to walk in the woods. The purpose of Groton Reads is to bring the town together old and young. It is sponsored by the GPL Endowment and they have 200 free copies of the book.

Susan Hughes stated that Thursday the 28th there would be a presentation given by 4 people who have hiked the Appalachian Trail. They would be bringing with them gear, journals, stories, slides and photos. They would discuss their experience versus the description from the book. She also reviewed all 6 events that would be taking place.

The Selectmen thanked Owen for coming in and for doing this program.

Michelle Collette, Town Planner & Tom Delaney, Highway Surveyor, RE: James Brook Urban Stormwater Improvement Project, Mass DEP, Section 319 Grant, Scope of Services from Comprehensive Environmental Incorporated

Michelle stated that the town had received a grant from Mass DEP for James Brook improvements. The application was prepared by Comprehensive Environmental Incorporated (CEI). She has a contract to sign with CEI and the funding source is the grant money.

Mr. Dillon asked Michelle to give an overview of the brook. Michelle then gave an update of the areas that the brook runs, but also stated that the work they are doing is primarily from Main Street to Broadmeadow Road.

Tom stated that the \$134,000 would cover engineering fees, materials and supplies. The only thing that the town contributes is labor. This will be a 2 year project with services in kind. These are repairs that need to be done, with the materials being funded by someone else.

Mr. Dillon asked if there were any concerns about liabilities on private property. Michelle replied that Town Counsel was preparing documents for the town to have a right of access agreement as part of project, but she is not sure who is responsible. Tom stated that they would ask the homeowners to help maintain the residential rain gardens, but that a lot of it is the town's responsibility. He then went through some of the things that they would be doing that the town would maintain.

Mr. Degen stated that CEI uses recharge methods and alternative methods, and this is a great opportunity to try to get other developers to use these methods.

The Selectmen thanked Tom and Michelle for coming in and for all of the information provided.

Mr. Degen moved to authorize the Chairman of the Board of Selectmen to sign the Urban Stormwater Improvement Project, Mass. DEP Section 319 Grant. Mr. Schulman seconded. Unanimous vote.

OTHER BUSINESS

One Day Liquor License- Melissa Fetterholf

Mr. Dillon stated that the Taste of Nashoba would take place on Tuesday March 25th at Lawrence Academy. It is a great event with many food and beverage items to sample, and he encouraged people to participate. He then stated that all paperwork was in order, and they had the insurance verification and check.

Mr. Degen moved to approve a one day All Alcohol License for Melissa Fetterholf on behalf of the Nashoba Valley Chamber of Commerce for Tuesday, March 25, 2008 located at the Lawrence Academy, Powderhouse Road, Groton; within the hours of 5:30 pm and 8:00 pm. Mr. Schulman seconded. Unanimous vote.

Appointment of Connie Sartini to the William Barn Committee

Mr. Dillon stated that this appointment would be to replace Josh who needed to resign. He thanked Josh for his time on the committee. Mr. Dillon then stated that Connie had been recommended by the committee and thanked her for volunteering.

Mr. Degen moved to appoint Connie Sartini to the Williams Barn Committee for an unexpired term which will expire on June 30, 2008. Mr. Schulman seconded. Unanimous vote.

Lawrence Academy Request to Apply Pesticides at Various School Properties

Mr. Ritter state that this was a routine request that the Board has approved the past several years. Mr. Degen suggested that they make sure that a licensed pesticide applicator does this, and that a copy of the license is provided. The motion was amended to add this request before applying the pesticide.

Mr. Degen moved to authorize Lawrence Academy to use and supply pesticides for something other than aesthetic purposes, to be done by a licensed professional, and a copy of that license must be provided prior to the first application. Mr. Schulman seconded. Unanimous vote.

Annual Town Meeting Review Warrant Articles, submitted to date

Mr. Ritter reminded everyone that the warrant would close on Thursday at 12 noon. Lauren Goldberg was working on the ballot question which will be in next version of the warrant for review. Article e from the CPA is an annual occurring allocation. The Planning Board has 4 articles coming, and there may be a couple of others coming.

Mr. Degen asked about article q. Mr. Ritter stated that it was submitted from the Board of Health.

Mr. Degen then asked about the need for a new pickup with a plow for the Transfer Station, because they just purchased a brand new backhoe and a plow for the backhoe. He suggested looking to see if the Highway Department has one that is still functional that might meet their needs.

Mr. Cunningham suggested that the Highway Department obtain the new truck and share it with the Transfer Station.

Mr. Dillon stated either way it was done, if the request were to be considered it would be capital planning. He then stated that on page 2 there was a change in the date of the election, and they needed to include the votes on the Charter and debt exclusion for the schools.

Mr. Degen asked who requested article r and why. Small projects, like Starhouse Lane, were created under provisions of a private way to release the town from the burden of maintenance. If it is one of the homeowners, it should be listed as a citizen's petition. If it was the Planning Board then he wants to know why.

Mr. Dillon stated that the sponsors needed to make sure that the residents are aware of this article and request.

Mr. Cunningham stated that he believed the Highway Surveyor is aware of this request.

Mr. Dillon stated that on article t there has never been an article in the Town Meeting warrant that voted on this. Mr. Ritter replied that he would delete this article from the next version of the warrant.

Town Counsel Reserve Fund Transfer

Mr. Ritter stated that the town was nearly out of money in the appropriation for Town Counsel. They have gone through almost all of the \$90,000 to date. In today's mail he received notification of a credit of \$13,300, which is roughly one month of billing. He was seeking approval to ask FINCOM for a reserve fund transfer to get through to Town Meeting. FINCOM is meeting tomorrow night and will review this request.

Mr. Degen asked where they stand with regard to the litigation costs, and asked if the first 2 issues were at rest. Mr. Ritter stated that the 1st issue was awaiting a decision, and the 2nd issue came as surprise on the cost incurred.

Mr. Dillon stated that after they appealed the HAC's decision the courts came back and indicated that the HAC was not within their rights. They then put forth a proposal to see if they could come to an agreement with the HAC and have heard nothing.

Mr. Degen suggested doing no further legal work regarding this issue. They have spent approximately \$3,000 a month just on litigation. If they can subtract that \$3,000 a month if nothing goes forward, then asking for \$40,000 should be more than enough and hopefully they can return money at the end of the year.

Mr. Dillon stated that they should review all of the bills with Kopelman & Paige to find out which bills that they have paid so far would fall under the retainer that they have proposed.

Mr. Degen moved to transfer \$40,000 from the reserve fund for the purpose of Town Counsel expenses. Mr. Schulman seconded. Unanimous vote.

Contract Approval with H&H Associates

Mr. Dillon stated that Dick Heaton was in last week for an interview and the Board discussed the contract for affordable housing funded through the CPA. This was just for the formality of authorizing and signing.

Mr. Degen moved to execute the contract between the Town of Groton and H&H Associates. Mr. Schulman seconded. Unanimous vote.

REPORT OF THE INTERIM ADMINISTRATIVE OFFICER

Mr. Ritter stated that he will be spending a day with the Council on Aging staff and board as they go through the final step in their accreditation process. They are one of 10 in Massachusetts to receive this award. He is proud of all work put in to this by all of the staff. Last Wednesday he attended a going away for Kim Dee and he wished her the best of luck in her new career. The Capital Planning Committee will be meeting on Thursday March 6th at 7:00 pm. Lastly, he and Peter met with a representative from the LRTA last Friday.

SELECTMAN LIAISON REPORTS

Mr. Cunningham stated that he would be going down to the State House in support of the Charter. He commended both Representative Hargraves and Senator Panagiotakos for the amount of work they have done on this. He stated that everything was on track for the Charter question to appear on the ballot. He then informed the public that the information was still on the website for review, and he hoped that people would vote in favor of the Charter.

Mr. Degen stated that he had been working with Chief Palma on an exercise to determine if there were any street lights that could be turned off, without affecting public safety, to save money. They would hold a public hearing, and send notification to give people the option to pay for a light themselves if they do not want it shut off. He also stated that he is working on trying to consolidate employees of the Transfer Station and Highway Department.

Mr. Dillon stated that there would be a FINCOM meeting to review budgets at Town Hall tomorrow night at 7:00 pm. The Groton Dunstable Regional School District met to review their budget last Tuesday. This Thursday he will be meeting with a representative from MIIA regarding the insurance. This Friday will be Barbara Cronin's last day of employment as Assistant Town Accountant. He wished her well and thanked her for the great job she had done.

Mr. Dillon then stated that the Selectmen had received a response to the second letter they sent to the Department of Revenue (DOR). He then read the letter. After reading it he stated that he still did not believe that they had gotten an answer to their questions and he thought that they might want to follow up with another letter.

Mr. Degen stated that they should try to send a follow up letter to someone higher up to ask for a meeting again. Mr. Dillon replied that the Commissioner and Director of Affairs were both copied on this letter.

Mr. Cunningham stated that it appeared things were done according to protocol and appropriately, but the question arises over the ability to apply judgment to a specific area. He believed that a lot of people were caught off guard and surprised by this, and he felt that the element of outreach to make people aware of this process did not happen.

Mr. Dillon asked Mr. Ritter to put together another draft letter to see if they could try to get the DOR to reinforce that what was done was done by the guidelines.

MINUTES

Mr. Degen moved to approve the January 2, 2008 meeting minutes. Mr. Schulman seconded. Unanimous vote.

ADJOURN

Mr. Degen moved to enter into Executive Session at 8:05 p.m. in accordance with MGL Chapter 39, Section 23B, for the purpose of discussing collective bargaining and negotiation and will not reconvene in Open Session. Mr. Schulman seconded. Roll Call Vote: Dillon – yes; Degen – yes; Schulman – yes; Cunningham – yes.

Approved: _____
Stuart Schulman, Clerk

_____ respectfully submitted,
April Iannacone
Office Assistant

Date Approved: April 14, 2008