

**BOARD OF SELECTMEN
MINUTES JULY 21, 2008
APPROVED**

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

Also Present: Jeff Ritter, Interim Administrative Officer; Patrice Garvin, Administrative Assistant

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

INTRODUCTION OF 16 FIREFIGHTERS & RECOGNITION OF THEIR GRADUATION FROM THE MA FIRFIEFIGHTING

Chief Bosselait acknowledged 21 members of the fire department the stayed committed to improving their training for the past 10 months. Each firefighter/EMT was able to take the training due to a grant received for \$150,000. Chief Bosselait recognized Richard Swartz, Academy Teacher for all of his hard work. Chief Bosselait also congratulated Sue Daly for being liaison to the Academy over the course of the training and the person responsible for writing the grant. Each Firefighter was introduced an awarded a badge and certificate. Mr. Degen thanked the firefighters for their dedication to the Town.

SAFER GRANT UPDATE

Chief Bosselait updated the Board on the Safer Grant and that positions have been advertised and exams have been taken. Chief Bosselait informed the Board that a person would be in place as of August 18th, as dictated in the grant. Chief Bosselait noted that with the grant the shifts could be expanded to twelve hours, which is an asset for the Town.

CONFIRMATORY ACCESS EASEMENT TO LOT 1A SHIRLEY ROAD

Marc Johnson addressed the Board. Mr. Degen gave background on the easement and noted that it was approved at Town meeting. Mr. Degen mentioned that clean-up on the reserved parcel was acknowledged by Mr. Falzone. Mr. Johnson stated that he needed to speak with Mr. Falzone. Ms. Collette requested that Mr. Falzone contact the Town prior to the start of work and asked if there would be any Conservation restrictions on the property. Mr. Johnson stated that he was unsure if restrictions would be applied and would follow-up.

Mr. Schulman moved to convey to Meeting Way Corp., Inc. a confirmatory access and utility easement over a portion of the Town-owned property located at Farmers Row and described in a deed recorded with the Middlesex South Registry of Deeds in Book 48698, Page 412, and which portion is shown as "25FT Access Easement" on the sketch plan attached to the Easement Agreement recorded with said Deeds in Book 48698, Page 408, on terms similar as those set forth in said Easement Agreement. Mr. Cunningham seconded the motion. Motion carried (5-0).

Attorney Johnson had the Easement Agreement signed and notarized.

EARTH REMOVAL PERMIT

Mr. Degen noted that the request was forwarded to Town Counsel who felt that the Earth Removal Request went against the Town by-laws. Ms. Collette stated that the Earth Removal Committee met and approved the applications. Mr. Masalchdan wanted to use the existing rock on site therefore not carrying it out. Mr. Degen felt that an application was not needed because nothing was being removed off site. Ms. Collette stated that this was the first time she has ever seen an application like the one being requested. Ms. Collette noted that for the future this request needed to be examined. Ms. Collette noted the conditions that the Planning Board and the Earth Removal Committee was requesting.

Public

Valerie Spencer was concerned with the noise caused by the crushing of stone. Russell Braus asked if there was any impact on the stormwater management. Ms. Collette stated that there would be no effect on the stormwater system.

Mr. Schulman moved to approve a Certificate of Exemption to the Earth Removal by-law, Chapter 134, Section 10 to Ebrahim Masalchdan for the stone crushing for road use on Monarch path located at 12 Gilson Road, to include the following conditions:

- 1. No parking on site before 8:00 a.m. of after 4:30 p.m.*
- 2. No excess crushed stone shall be removed from the site unless the applicant applies for and Selectmen grant a new Certificate of Exemption*
- 3. The roadway must be cleaned at the end of the workday*
- 4. No operating on weekend or holidays*
- 5. Applicant shall notify the Earth Removal Inspector and Abutters prior to commencement of activity*
- 6. Slope o (stockpiles (rock, crushed stone, sand, gravel or loam) not to exceed 2;1*
- 7. Appropriate dust control measures to be undertaken*
- 8. Best management practices shall be implemented for handling hazardous materials*
- 9. The amount of rock to be crushed will not exceed 3,000 cubic yards*
- 10. Duration of the rock crushing operation will not exceed (5) working days*
- 11. A tanker with water will be on site at all time to control dust*
- 12. Meets all additional conditions ordered by Town Departments*

Ms. Eliot seconded the motion. Motion carried (5-0).

AGRICULTURAL COMMISSION APPOINTMENT

Mr. Schulman moved to appoint Susan Wilcox to the Agricultural Commission to fill an unexpired term until June 30, 2011. Ms. Eliot seconded the motion. Motion carried (5-0)

BOARD POLICY ON APPOINTMENTS AND REAPPOINTMENTS

Mr. Ritter gave a brief explanation on the evolvement on the suggested policy. Mr. Ritter stated that the policy would be sent to the Boards/Committees that would be impacted by the policy. Mr. Ritter stated that the Board could vote on the policy at the August 14th meeting.

EARTH REMOVAL/STORMWATER ADVISORY COMMITTEE APPOINTMENT

Mr. Schulman moved to approve William Gavazzi to the Greenway Committee for a one-year term to expire June 30, 2009. Ms. Eliot seconded the motion. Motion carried (5-0).

WATER RESOURCE PROTECTION COMMITTEE APPOINTMENTS

Mr. Schulman moved to approve the following to the Water Resource Protection Committee:

- Tom Orcutt- Groton Water Department*
- Michelle Collette-Planning Board*
- Barbara Ganem-Conservation Commission*
- Jeff Ritter-Selectman's Office*
- Ira Grossman-Board of Health*
- Gorden Newwell-West Groton Water District*
- Mark Archambault- Nashua River Watershed Association*

Mr. Dillon seconded the motion. Motion carried (5-0)

REPORT OF THE INTERIM ADMINISTRATIVE OFFICER

Mr. Ritter reported that the Town Manager Screening Committee would hear comments at the Department Head Meeting. Mr. Ritter conveyed the stats on the summer reading program. Mr. Ritter reported that there would be a DOR seminar in Lowell the following day for selectmen that would like to attend. Mr. Ritter gave

tips when in a thunderstorm. Mr. Ritter concluded with the idea that the selectmen attend a Newcomers meeting.

SELECTMAN LIAISON REPORTS

Mr. Degen reported that he and other selectmen attended the NIMS training. Mr. Degen noted that the union negotiations are continuing with SEIU. Mr. Degen reported that H&H would be wrapping up their final report soon on Affordable Housing.

Mr. Schulman noted that the information session on the debt exclusion and what Town government could do was very helpful.

Mr. Cunningham addressed the concern of home heating cost this winter and the need to address it. Mr. Ritter noted that he would follow up on this request to look into how to help residents.

Mr. Ritter stated that a letter needed to be sent to Mr. DeNormandie because he has yet to respond to the last letter sent to him two weeks ago. Ms. Eliot stated that she has spoken to Mr. DeNormandie and he has requested a meeting. Mr. Ritter stated that he would work with Ms. Eliot to set up this meeting.

APPROVAL OF MINUTES

Mr. Cunningham moved to approve the February 11, 2008 as amended. Mr. Schulman seconded the motion. Motion carried (3-0-2).

Mr. Schulman moved to approve the April 14, 2008 as amended. Mr. Dillon seconded the motion. Motion carried (4-0-1).

Mr. Schulman moved to approve the minutes of April 7, 2008. Mr. Dillon seconded the motion. Motion carried (3-0-2).

ADJOURN

Mr. Cunningham moved to adjourn at 8:40 p.m. Ms. Eliot seconded. Meeting adjourned.

Approved: _____
Anna Eliot, Clerk

_____ respectfully submitted,
Patrice Garvin
Administrative Assistant

Date Approved: 8-4-08