

**BOARD OF SELECTMEN  
MINUTES SEPTEMBER 8, 2009  
APPROVED**

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

**Absent:** Stuart M. Schulman

**Also Present:** Mark W. Haddad, Town Manager; Patrice Garvin, Executive Assistant

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

**TOWN MANAGER REPORTS**

1. Mr. Haddad reported on the proposed consolidation of the Land Use departments. Mr. Haddad was seeking the Boards approval on the consolidation and altered job descriptions. Mr. Haddad distributed the job descriptions and an organizational chart. Mr. Haddad reported that through the consolidations a saving of 34K was created. Mr. Haddad addressed the concerns of the independent Boards that oversee the Land Use departments and noted that only the administrative functions of these departments are being consolidated. The Land Use Director would oversee the day to day operations and there would be no conflict with the statutory requirements of the Boards. Mr. Degen addressed a potential conflict with 40A and that the Building Inspector reported to the Town Manager and would support the consolidation if the Building Inspector reporting to the Land Use Director was taken out. Ms. Eliot saw that the Land Use Director would work with the Town Manager and Building Inspector. Mr. Haddad stated that it was the Town Manager who was ultimately responsible for all town employees. Mr. Cunningham suggested that Mr. Haddad revise the Land Use Directors Job description stating the Building Inspectors evaluation would be done by the Town Manager.
2. Mr. Haddad requested that the Board adopt September 11<sup>th</sup> as patriot Day. Mr. Johnson, Veterans Service Officer, stated that the Boys Scouts would run the flags on September 11<sup>th</sup>.  
*Mr. Dillon moved to approve the Avenue of Flags display policy as amended and that September 11<sup>th</sup> would be known as Patriot Day/September 11<sup>th</sup>. Ms. Eliot seconded the motion. Motion carried.*

**EARTH REMOVAL PERMIT PUBLIC HEARING**

*Mr. Dillon moved to open the public hearing. Ms. Eliot seconded the motion. Hearing opened.*

Mr. Degen read a support letter from an abutter. Ms. Collette recommended that the Board approve the earth removal permit.

*Mr. Dillon moved to close the public hearing. Ms. Eliot seconded the motion. Hearing closed.*

*Ms. Eliot moved to approve an Earth Removal Permit to Robert C. Black for Assessors Map 242, Parcel 9, Lot 0, also know as, 68 Burnt Meadow Road, for an earth removal operation to be conducted in full compliance with the Guidelines for Earth Removal Activities Under the Earth Removal By-Law Section IIIA (134-3B) - Existing Operations.*

- (1) *No excavation or grading shall result in an accumulation of freestanding water.*
- (2) *All finished slopes at less than 30 gradient.*
- (3) *Hours of operation: 7 a.m. to 5 p.m. on weekdays.*
- (4) *Loaded trucks are to be covered. Spillage on any public way shall be cleaned immediately.*

- (5) *A sufficient quantity of topsoil shall be stockpiled for landscaping or restoration to a minimum depth of four inches or another depth as determined in consultation with Earth Removal Inspector and Earth Removal Advisory Committee.*
- (6) *The Selectmen or their agent shall be free to inspect the site as determined necessary.*
- (7) *Any excavation within 100 feet of wetlands requires notification to Groton Conservation Commission for a Determination of Applicability.*
- (8) *All trees, stumps, and boulders removed shall not be buried or otherwise disposed.*
- (9) *No explosives are to be used.*
- (10) *All excavated areas shall be landscaped or restored to prevent erosion.*
- (11) *Permanent drainage shall be provided so that there is no net increase in runoff to adjacent lands or water bodies.*

*This permit will expire September 8, 2011. Mr. Dillon seconded the motion. Motion carried.*

#### **SENIOR WORK OFF PROGRAM**

Christine Collins presented the new criteria for the Senior Work off program to create a better system for sign up. Ms. Collins outlined the current criteria and suggested adding a new criteria of providing an income statement. Qualifying applicants must have income at or below the Lowell Area HUD Low and Moderate Income Worksheet levels for their household. Mr. Dillon asked who would be reviewing this new information. Ms. Collins stated that it would be the Assessors reviewing the income statement. Mr. Haddad suggested that if there are slots available the program should be opened up to people waiting to enter but still go by most in need. Mr. Haddad requested that Ms. Collins edit the policy and bring it to the next Board meeting.

#### **TRAFFIC RULES & REGULATIONS**

Mr. Haddad explained the process of creating the rules and regulations. Mr. Degen asked if the fees schedule listed was up to date. Mr. Haddad stated that the fee schedule would be updated and asked the Board to approve the Traffic Rules & Regulations as presented.

*Mr. Dillon moved to approve the Groton Traffic Rules and Regulations as revised and amended. Ms. Eliot seconded the motion. Motion carried.*

#### **TOWN MANAGER REPORTS CONTINUED**

3. Mr. Haddad provided the Board with the Station Ave RFP and asked the Board to review and provide comments.
4. Mr. Haddad requested the Board waive the requirement voted at the last meeting for the Neff's to maintain public liability insurance naming the town as an additional insurer. Mr. Haddad stated that he has consulted Town Counsel and counsel was comfortable waiving the provision.  
*Mr. Dillon moved to remove the provision in the license agreement to maintain public liability naming the Town as an additional insurer and asking that Michael and Colleen Neff provide a Certificate of Insurance showing \$1 million in liability on the property. Ms. Eliot seconded the motion. Motion carried.*
5. Mr. Haddad updated the Board on the progress of addressing the intersection of Route 119 and Townsend Road. Mr. Dillon suggested calling the MRPC and stressing the accidents ratio and the need to get something done. Mr. Cunningham asked that MRPC be contacted and for the selectmen's representative to go to the next MRPC meeting.
6. Mr. Haddad reported that Fisheries and Wildlife denied the use of Surrenden Farm for the use of a Civil War reenactment.
7. Mr. Haddad reported that he received word on the Cy pres petition for the Prescott school and Mr. Haddad would contact Mr. Heaton.

**REVIEW WARRANT**

Mr. Haddad reviewed the Town Meeting Warrant. Mr. Haddad spoke to the need for the country club to maintain its director in the offseason. Mr. Haddad addressed incorporating West Groton into the Woodward & Curran contract approved at the last Town Meeting. Mr. Haddad mentioned that it was up to the Board to place a meals tax article on the warrant. Mr. Haddad noted that the EMT are currently not covered if they get hurt and that there is an article on the warrant to address this concern.

**LIASION REPORTS**

The Board of Selectmen did not have any liaison reports.

**MINUTES**

*Mr. Dillon moved to approve the Executive Session Meeting Minutes of June 15, 2009, and not to release. Ms. Eliot seconded the motion. Motion carried.*

*Mr. Dillon moved to approve the June 22, 2009 Joint Session Meeting Minutes with the ZBA. Ms. Eliot seconded the motion. Motion carried.*

**ADJOURNMENT**

Mr. Dillon moved to adjourn the meeting at 9:00pm. Ms. Eliot seconded the motion. Motion carried.

Approved: \_\_\_\_\_  
Anna Eliot, Clerk

\_\_\_\_\_  
respectfully submitted,  
Patrice Garvin  
Executive Assistant to the Town Manager

Date Approved: 11-23-09