

**SPECIAL TOWN MEETING
SEPTEMBER 24, 2001
MINUTES**

The Special Town Meeting of the Town of Groton was called to order by Moderator Robert Gosselin at 7:35pm. There was a quorum requirement of 125 voters. At 7:35, there were 127 voters in attendance. In remembrance of the events of September 11, 2001, "the Attack on America", the Moderator called for a moment of silence which was followed by the singing of America the Beautiful led by Town Clerk, Bonnie Biocchi. There was an announcement made by Karen Lofgren who, together with Shelly Murray, have begun a memorial fund for the Hanson family who was killed in the tragedy. Peter Cunningham made an announcement regarding an event to be held on Sunday, Sept. 30th in response to the tragedy.

Article 1: Moved and seconded that the Town vote to amend the Personnel Bylaw Wage and Classification Schedule, effective July 1, 2001 by:

Adding the following new positions:

Library Shelver Grade 1
Tax Collector Office Assistant/Senior Work Program Administrator Grade 5
Police Captain Grade 16

And by deleting the following:

Library Shelver \$6.78 per hour

And by revising the non-step position of: Police Lieutenant \$31.11 per hour to Police Captain \$31.11 per hour.

Article 1 carried by majority.

Article 2: Moved and Seconded that the Town vote to amend the Code of the Town of Groton Chapter 48, Personnel, Section 15, Additional Benefits, by inserting the words "and Police Captain" after the words, "Police Lieutenant," in the first sentence so that it will read: "The Police Lieutenant and Police Captain shall be entitled to the same fringe benefits as those allowed the respective bargaining unit through the collective bargaining process"; and by adding an "s" to the word "position" in the second sentence so that it will read "Said management positions shall be excluded from contract negotiations during discussion of these fringe benefits."

Article 2 carried by majority.

Article 3: Moved and Seconded that the Town vote to transfer from free cash the following amounts to pay FY01 bills:

- \$1580.02 to Postage and Office
- \$243.75 to Historic District Expense
- \$1053.83 to Town Counsel
- \$85.69 to Library Expense
- \$50.12 to Municipal Building Expense
- \$208.62 to Police Expense
- \$222.40 to Recreation Expense
- \$555.06 to Transfer Station Expense
- \$40.53 to Sign Committee Expense

Article 3: Carried unanimously.

Article 4: Moved and Seconded that the Town vote to transfer from free cash a sum of money to Administrative Officer Wages.

Moved and Seconded to postpone Article 4 indefinitely.

Article 4 was indefinitely postponed.

Article 5: Moved and Seconded that the Town vote to amend the Code of the Town of Groton Chapter 9, Capital Planning Committee, Section 1, Membership, by adding in the first sentence the words "receiving a wage or salary" after the words "appointed town official" so that the sentence reads:

"There shall be a Capital Planning Committee consisting of seven (7) persons, five (5) of whom shall be voters of the town, appointed by the Selectmen as hereinafter provided, none of whom shall be a town officer elected by ballot or an appointed town official receiving a wage or salary, and the remaining two (2) shall be the Town Treasurer and Administrative Assistant ex officio.

Article 5 carried unanimously.

Article 6: Moved and Seconded that the Town vote to transfer from free cash a sum of money to purchase the property known as the Squannacook Sportsman's Club, 159 West Main St., shown on the new Assessors' Map 106 Parcel 33, containing approximately 7 acres.

Motion was made and seconded to postpone article 6 indefinitely.

Article 6 was indefinitely postponed.

Article 7: Moved and Seconded that the Town vote to authorize the Board of Selectmen to acquire, by eminent domain or otherwise, a temporary easement on, over, in and through the property shown on the former Assessors' Maps as Parcels I-37, I-37A and I-37B, all or a portion

of which is claimed to be owned by Allan and Donna Friedrich, for the purpose of performing a survey of Jenkins Road and determining the boundaries thereof and transfer from the Jenkins Road survey account the sum of \$500.00 for the costs and expenses related thereto.

Selectman Chamberlin spoke in support of this article. Ed McNierney, Trails Committee, stated that the land (about 970') between the Nashua River and Jenkins road belongs to the Town. He further stated he is in favor of property rights for the individual and for the town. Mr. McNierney felt it was imperative to determine where the property line is. Ms. Stoddard spoke on behalf of the Greenway Committee who was in favor of this article. The Finance Committee voted unanimously to support.

Atty. Howard Hall representing the Friedrichs, stated that the land belongs to the Freidrichs and they were not being defiant. He further stated that the building permit issued in 1974 did not state that Jenkins road was a public way but rather was given just as an address. He also felt that there was no need to go on the Freidrich's property because there is no land to walk on from the river. He further stated that he felt the reason that the Selectmen wanted to do the survey was to do an eventual eminent domain taking.

Selectman McCuin spoke in opposition this article. Selectman Cunningham stated that the Town is not trying to do anything except determine what, if any claim the Town may have on this piece of property.

Ms. Fucillo asked why it has taken so long to bring this up. Mr. McNierney stated that the process was started in 1998. Mr. Easom (trails committee) felt that it was too complicated to untangle without the survey. He further stated that there is no access to the trail from the Northern end right now but that doesn't preclude it in the future.

Mr. Miller moved the question.

Tellers were called and sworn as follows:

Frank Bellitsky	Robert Johnson
Doris Chojnowski	Christopher Mills
Warren Humphrey	David Riggert

The question was moved by a 2/3 majority: 217 in favor, 27 opposed.

Article 7 was defeated as it required a 2/3 majority. 153 in favor, 100 opposed.

Article 8: Moved and Seconded that the Town vote to approve the Concept Plan for residential development under Section 218-27 of the Zoning By-law for property owned by David C. Moulton and Fox Meadow Realty Corporation situated at Boston Road and Sandy Pond Road (being a portion of the land shown on former Assessors' Map U as Parcel 61-C) shown on a plan entitled "Rocky Hill, Concept Plan for Residential Development" prepared by Pine and Swallow Associates, dated July 2001, a copy of which is on file with the Town Clerk.

Fincom voted to support. Selectmen voted to support. Planning Board voted to support. Electric Light Commissioners voted to support. Board of Assessors voted support. Growth Mgmt voted to support. Groton Housing Partnership supported this concept plan. Rep. Hargraves spoke in favor of moving the Electric Light Dept because it will free up a building in the center of town. He also felt it would help the rail trail.

Mr. Hammer spoke in favor of the plan. Mr. Belitsky spoke in favor. Mr. Blackman spoke in favor. Mr. Lyman spoke in favor.

Mrs. Walsh moved the question.

The question was moved unanimously.

Article 8 carried unanimously.

Article 9: Moved and Seconded that the Town vote to approve the Concept Plan for business development under Section 218-18E of the Zoning By-law for property owned by Robert J. Lacombe and Long Pond Realty, LLC situated at Boston Road and Sandy Pond Road (being the land shown on former Assessors' Map U as Parcels 61-1 and 61-2) shown on a plan entitled "Rocky Hill, Concept Plan for Business Development" prepared by Pine and Swallow Associates, dated July 2001, a copy of which is on file with the Town Clerk.

Fincom and Board of Selectmen voted to support.

Article 9 carried unanimously.

Article 10: Moved and Seconded that the Town vote to accept the donation of parcels of land to be under the custody of the Groton Electric Light Department, which parcels are shown as "land to Electric Light Department" on a plan entitled "Proposed Development of Land in Groton, Massachusetts prepared for Robert Lacombe and David Moulton," prepared by Pine and Swallow Associates, Inc., a copy of which is on file with the Town Clerk (donation of said parcels to occur prior to June 30, 2002).

Article 10 carried unanimously.

Article 11: Moved and Seconded that the Town vote to accept the donation of the land shown as "Conservation" on a plan entitled "Proposed Development of land in Groton, Massachusetts" prepared for Robert Lacombe and David Moulton, prepared by Pine and Swallow Associates, Inc., a copy of which is on file with the Town Clerk (being the approximately 400+/- acres of land situated in Groton to the Southwest of the New England Power Powerline Easement, and shown on Assessors' Map U as Parcels 61-D and a portion of Parcel 61-C), to be administered by the Groton Conservation Commission, or the donation of a permanent conservation restriction on said land in the name of the said Commission, said donation to occur prior to any construction occurring on the property situated to the Northeast of said powerline easement owned by Robert J. Lacombe, Long Pond Realty, LLC, David C. Moulton, and Fox Meadow Realty Corporation.

Article 11 carried unanimously.

Article 12: Moved and Seconded that the Town vote to amend the vote taken under Article 55 of the Warrant for the April 30, 2001 Annual Town Meeting by reducing the amount to be transferred from the Excess and Deficiency Fund (free cash) for the purpose of affecting the tax rate for the period beginning July 1, 2001 and ending June 30, 2002 from \$445,736 to \$410,499.

Article 12: carried unanimously.

The chair entertained a motion to dissolve the meeting. The Meeting was dissolved at 9:39pm.

A TRUE COPY ATTEST

Bonnie P. Biocchi, Town Clerk