

**BOARD OF SELECTMEN  
MINUTES JUNE 18, 2012  
APPROVED**

**Present:** Stuart M. Schulman Chairman; Peter Cunningham, Vice Chairman; John G. Petropoulos; Joshua A. Degen; Anna Eliot

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

Mr. Schulman called the meeting to order at 7:00pm

**TOWN MANAGER'S REPORT**

1. Mr. Haddad reported that the FY 2013 budget included funding for an additional patrolman's position in the Police Department. Chief Palma had recently conducted a thorough search to fill two previous vacancies on the Department. The Town received over 100 applicants at that time and a comprehensive review of the applicants was completed by the Department. One of finalist for the previous opening (Timothy Cooper of Chelmsford) is still interested in joining the Department and Chief Palma has recommended that he be appointed to the new Patrolman's position effective July 1, 2012. Mr. Haddad asked the Board to ratify his appointment. Mr. Haddad read a brief bio on Mr. Cooper and the Chief introduced Mr. Cooper to the Selectmen.

*Mr. Cunningham moved to ratify the Town Manager's appointment of Timothy Cooper to the new Patrolman's position effective July 1<sup>st</sup>. Mr. Degen seconded the motion. Motion unanimously carried.*

2. Mr. Haddad distributed the draft charge for the proposed Underground Utility Committee. [Document 1: Draft Charge]. At the Board's last meeting Selectman Eliot had proposed creating a new Committee to examine and determine the feasibility of placing the utilities on a portion of Main Street (Old Ayer Road to Champney Street) underground. Ms. Eliot noted that it was important to define the area while some members thought the area should be left up to the committee. Mr. Petropoulos asked what the cost of implementing such a project would be. Mr. Cunningham stated that cost would be part of the committee's findings. Once findings are delivered a decision as to whether or not it will go to Town Meeting will get decided.

*Mr. Cunningham moved to adopt the Underground Utility Study Committee as amended. Mr. Petropoulos seconded the motion. Motion unanimously carried.*

3. Rick Commons of the Groton School presented its annual PILOT of \$100K.

**WETLAND'S BYLAW REVIEW COMMITTEE-INTERVIEW APPLICANTS-VOTE TO MAKE APPOINTMENTS** [Document 2: Ballots and Tally Sheet].

Mr. Haddad stated that each applicant would make a brief statement followed by questions from the Board.

1. Peter Cunningham (BOS Appointment) stated why he would like to serve on the committee and how he would review the bylaw and hoped to come out with some recommendations.
2. Scott Wilson (Gov Body Rep) was unable to attend the meeting but it was noted he was one of the original people to draft the Wetland Bylaw therefore would be a good member on the committee.
3. Michelle Collette (At Large) stated why she would like to be on the committee but would step aside to provide staff support to the Committee.

4. Kevin Lindemer (Gov Body Rep) was unable to attend but submitted a memo as to why he would like to be on the committee. Mr. Petropoulos asked if there was a conflict of interest with Mr. Lindemer's appointment to this committee. The Board saw no conflict. Mr. Cunningham clarified the perception of conflict due to GELD's application spurring a review of the bylaw. There is no impact on the GELD application since it is filed under the current bylaw.
5. Alexander Woodle (At Large) gave the Board his background and noted that he has lived on Lost Lake for many years. Mr. Woodle stated that he is an average homeowner. Mr. Petropoulos asked how Mr. Woodle would contribute to the committee. Mr. Woodle stated that he was a good listener and he felt minor tweaks may be needed in the bylaw.
6. George Barringer (Gov Body Rep) was unable to attend and no submission was received.
7. Steve Webber (At Large) listed the committees in town he has been involved with and that the bylaw needed to be tweaked not rewritten.
8. David Black (Enviro Scientist) stated that he has some experience in town with the Conductorlab Committee and listed his scientific background. Mr. Degen asked Mr. Black how he felt about the bylaw. Mr. Black stated that he was still trying to digest the bylaw and he was aware of the conflicting pressures that come before the Conservation Commission.
9. Marshall Giguere (ConsCom Rep) Mr. Giguere gave his brief background and felt that the bylaw was reasonable.
10. Bob Pine gave his background which was an engineer. Mr. Pine stated that he has had many interactions with the bylaw and was involved in writing it. Mr. Pine supported periodic reviews of bylaws.

*Discussion:* Mr. Degen wanted a builder to be represented on the committee and recommended that the Board only fill 6 slots at this time and re-advertise and find someone to fulfill that role. It was stated that Mr. Webber could fulfill the builder role. Mr. Petropoulos suggested that Mr. Lindemer could represent a builder. Mr. Schulman stated that all of the applicants were homeowners and could fulfill a builder's perspective. It was decided that seven (7) members would be voted on. Ms. Eliot affirmed that Ms. Collette and Ms. Ganem would be advisors to the committee.

***VOTE: G. Barringer-1 vote; D. Black-5 votes; M. Collette- 0 votes; P. Cunningham-5 votes; M. Giguere-5 votes; K. Lindemer-2 votes; B. Pine- 5 votes; S. Webber- 5 votes; S. Wilson-4 votes; A. Woodle-3 vote***

Board members discussed why they voted the way they did.

#### **CONSERVATION COMMISSION-INTERVIEW APPLICANTS-VOTE TO MAKE APPOINTMENTS**

Mr. Haddad stated that each applicant would speak and asked questions from the Board.

1. Marshall Giguere (Candidate for Reappointment) stated that he has been an experienced member of the Commission. Mr. Degen asked about the lakes in Town and how Mr. Giguere felt about weed control in the lakes and if the Conservation Commission should place it as a priority. Mr. Giguere stated that he would like to see the NOI regarding the lake. Mr. Petropoulos asked if there were any improvements that needed to be made to the Conservation Commission. Mr. Giguere replied that he would have to think about it.
2. Rena Swezey was unable to attend and Mr. Haddad read Ms. Swezey's brief statement in the record.

3. John Smigelski stated that he was a lifelong resident and had a degree in agriculture. Mr. Smigelski stated that a larger voice on agriculture was needed on the Commission. Mr. Schulman asked if the Town Meeting vote for the fire station on farm land influenced Mr. Smigelski's decision to be on the commission. Mr. Smigelski stated that more thought was involved and that he was open to ideas. Mr. Degen asked about the issues of weeds in the lakes. Mr. Smigelski stated that he was not opposed to chemicals but needed more information and would go into it with an open mind. Mr. Petropoulos asked what Mr. Smigelski would do if the Commission did not follow his recommendation. Mr. Smigelski stated that he would look at other alternatives.
4. Aaron Green stated that he did not have a lot of experience. Mr. Degen asked about issues regarding weeds on the lake. Mr. Green stated that it was difficult to answer. Mr. Green added that he respects diverse opinions and like to listen and to discuss. Mr. Green stated that his recent issue was cutting in the Town Forest, which recently came up at a Conservation Commission meeting.
5. Cynthia Swezey stated that she is a native of Groton and attended Agricultural School and had courses in Aquatic Management. Ms. Swezey was previously on the Conservation Commission for 15 years. Mr. Degen asked about the issue of weeds in the lakes. Ms. Swezey stated that she was very familiar with the issue of weeds in the lake and suggested possible ways to deal with it. Ms. Swezey did not agree with large scale chemical use on the lake to address the weed problems. Ms. Swezey was willing to look at the information given but opposed chemicals in the lake.
6. Andrew Davis, new to the Town, listed some experience he has had working on Conservation type issues. Mr. Davis lives across the street from Sargisson Beach. Mr. Degen asked about the issues of weeds in the lake. Mr. Davis stated that he was familiar and felt that the weed harvesting was not working and chemicals would be ok. Mr. Davis was willing to look at alternatives to contentious issues in a responsible way. Mr. Petropoulos asked about "public good" and the financial considerations. Mr. Davis stated he would take everything into account.

#### *Discussion*

Mr. Easom, Conservation Commission member stated that the Conservation Commission has recommended the following in order:

1. Cynthia Swezey
2. Rena Swezey
3. John Smigelski

Art Prest, President of the Lake Association and member of the Great Ponds Advisory Committee read a statement regarding the condition of the lakes. That the lakes are getting worse and that he recommends Rena Swezey, Marshall Giguere and Andrew Davis. Mr. Prest went on to note his objections to the other applicants for the Commission.

William Strickland addressed the Board and wanted to discuss the issues of the lake. At this time Mr. Cunningham called a point of order and noted that the Board was here to appoint members of the ConsCom not discuss the lakes.

***Vote: M. Giguere-5 votes; A. Green-0 votes; A. Davis-2 Votes; J. Smigelski-4 Votes; C. Swezey-0 Votes; R. Swezey-4 Votes.***

*Discussion*

The Board expressed the reason for their votes. Members were impressed by Mr. Davis and encouraged him to apply again or to other committees in Town. Mr. Petropoulos was concerned that the lakes dominated the discussion and felt the Conservation Commission deals with so many more issues than weeds in the lakes.

**BOARD OF SELECTMEN ANNUAL APPOINTMENTS**

Mr. Haddad asked that the Board ratify his appointments to the Pool & Golf Center.

*Ms. Eliot moved to appoint John McCrossan @7/hour and Samuel Tellier \$9/hour to the position of Lifeguard for the Pool and Golf Center. Mr. Degen seconded the motion. Motion unanimously carried.*

*Mr. Degen moved to ratify the Town manager's appointment of the following:*

**Historical Commission**

Allen B. King, term to expire 6-30-14

**Special Police Officers**

Town of Townsend- see attached

Town of Ayer- see attached

*Mr. Cunningham seconded the motion. Motion unanimously carried.*

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*Ms. Eliot moved to appoint the following:*

**Affordable Housing Task Force, 1 year term**

Craig Auman

Peter Cunningham

Carolyn Perkins

Teresa Ragot

Martha Campbell

Joshua Degen

**Affordable Housing Trust, 2 year term**

Stuart Schulman

Colleen Neff

**By-Law Study Committee, 1 year term**

Michael Bouchard

Mark W. Haddad

Steve Webber

Peter Cunningham

*Mr. Cunningham seconded the motion. Motion unanimously carried.*

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*Mr. Cunningham moved to appoint the following:*

**Council on Aging, 3 year term**

Edward Wenzell

Mildred Wells

Marie Melican, term to expire 6-30-13

**Economic Development Committee, 1 year term**

Anna Eliot

Peter Myette

Michael Rasmussen  
Jane Bouvier  
Gus Winmayer  
Russle Burke  
James Ryan

**Finance Committee, 3 year term**

Peter DiFranco  
Gary Green  
Steve Webber

**Housing Partnership, 1 year term**

Peter Cunningham  
Michelle Collette  
Carolyn Perkins  
Alicia Hersey

**Lost Lake Sewer, 1 year term**

Angela Garger  
Tom Orcutt  
Carol Quinn

**Lowell Regional Transit Authority, 1 year term**

Paul Rothier

**MBTA Advisory Committee, 1 year term**

1 vacancy

*Mr. Degen seconded the motion. Motion unanimously carried.*

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*Mr. Cunningham moved to appoint the following:*

**Military Community Covenant, 1 year term**

George F. Dillon, Jr.  
Peter Cunningham  
Anna Eliot  
Peter Braudis  
Steve Webber  
Elbert Tompkins  
Roberts Johnson  
Kevin McKenzie

**Montachusett Joint Transportation Committee, 1 year term**

Anna Eliot

**Montachusett Regional Planning Commission, 1 year term**

Anna Eliot

**Scholarship Committee, 2 year term**

Alberta Erickson  
Jeannie Erickson  
Peter Myette

**Sustainability Committee, 1 year term**

Carol Canner  
Chris Christie  
Carl Flowers  
Richard Hewitt  
Leo Laverdure  
Michael Roberts  
Lisa Wiesner

**Town Counsel, 1 year**

Kopelman & Paige

**Zoning Board of Appeals**

Bruce Easom, 1 year term as alternate  
Megan Mahony, 1 year term as alternate  
Carol Quinn, 1 year as alternate  
Mark E. Mulligan, 3 year term  
1 vacancy, 1 year as alternate

*Ms. Eliot seconded the motion. Motion unanimously carried.*

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**TOWN MANAGER'S REPORT CONTINUED**

4. Mr. Haddad asked the Board to adopt the Policy and Procedures of the Board of Selectmen. There was some discussion of changes to the document regarding a timeline for minutes and certain action of the Board. The Board requested that the final document be presented at the next Board meeting. [Document 3: BOS Policy & Procedures]
5. Mr. Haddad distributed a letter from Attorney Thomas A. Gibbons notifying the Board of his client's intent to sell or convert to residential use property currently under Chapter 61A. [Document 4: L. from Attorney Gibbons] Specifically, Ms. Jodie M. Gilson intends to sell a portion of land on Dale Lane currently classified under Chapter 61A. The proposed purchase price is \$300k and the role back tax owed on this land is \$4,229. The Conservation Commission and the Planning Board are not interested in this parcel. *Mr. Degen moved to not exercise its right of first refusal on the property as presented. Ms. Eliot seconded the motion. Motion unanimously carried.*
6. Mr. Haddad stated that since the Board's last meeting Ms. Eliot, Mr. Petropoulos, Mr. Delaney and Mr. Haddad met with representatives of National Grid to discuss the repair work being conducted on Main Street by National Grid and its impact on the local businesses. The meeting was very informative and it established good communication between the Town and National Grid. There is also information on the Town's website. Mr. Haddad stated that there would be an additional detail for the work on Main Street. Mr. Haddad also addressed the claims issue with National Grid and that it has to do with property damage due to work. Mr. Haddad stated that he would continue to investigate this further. Mr. Degen asked if the sign on Main Street indicating work ahead could be removed.
7. Mr. Haddad stated that Mr. Cunningham prepared comments on the Open Space Plan. Mr. Haddad will forward the comments to the Conservation Commission. [Document 5: Open Space Comments]

8. Mr. Haddad proposed a change of hours of operation for Town Hall. Currently, the Town Hall is open Monday through Friday 8am-4pm. The Town Clerk does have evening hours on Monday evening until 7pm. Other than that, there is no opportunity for the public to access Town Hall during the evening. In other Town's, evening hours were part of the weekly schedule. This allows residents who work all day and cannot get to the Town Hall to access the various departments. The need has presented itself since taking over passports from the Town Clerk's Office. Mr. Cunningham likes the idea and suggested a trial term to see how it works. Mr. Petropoulos agreed getting feedback was important. Mr. Degen asked about the unions and holiday pay. Mr. Haddad stated that he needed to work it out with unions and bring it back to the Board at a later date.
  
9. Mr. Haddad reported that the responses for the payroll RFP were received. Two proposals were received, one from ADP and one from Harper's. Mr. Haddad stated that Harper's did not have a time and attendance in house and ADP had everything the Town needed. Mr. Haddad wanted to pursue ADP unless the Board had any objections. No objections were made.

**OTHER BUSINESS**

Mr. Schulman stated that the Town Manager's contract would be considered for renewal. Mr. Schulman stated that Board members should be ready to review in six weeks.

**MINUTES**

*Mr. Cunningham moved to approve the regular meeting minutes of June 4, 2012. Ms. Eliot seconded the motion. Motion unanimously carried.* [Document 6: Draft minutes 6/4/12]

**ADJOURNMENT**

*Mr. Cunningham moved to adjourn at 9:05pm. Ms. Eliot seconded the motion. Meeting adjourned*

Approved: \_\_\_\_\_  
 John G. Petropoulos, Clerk

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

Date Approved: 7/9