

**BOARD OF SELECTMEN  
MINUTES AUGUST 6, 2012  
APPROVED**

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

**Absent:** Peter Cunningham, Vice Chairman

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

Mr. Schulman called the meeting to order at 7:00pm and made some brief announcements.

**TOWN MANAGER'S REPORT**

1. Mr. Haddad noted a few extra items in his Town Manager's Report. Attorney Bob Collins and Chief Donald Palma contacted Mr. Haddad and asked to come in to discuss the proposed school zone speed limit on Farmers Row at the Groton School. Mr. Collins had completed some additional research and requested that the Board approve the school zone. Mr. Collins explained that the distance would be 1500 feet sign to sign. Chief Palma had no objections. Chief Palma stated that the school meets the school zone criteria and that it would not be illuminated 24/7. Mr. Schulman thought the distance of the school zone was very long. Chief Palma agreed the length was on the high side. Mr. Collins stated that it was not subject to the HDC because it was a matter of public safety. Mr. Petropoulos asked about looking at alternative ways to slow the speed down without a sign, and asked about enforcement. Chief Palma stated that he could step up enforcement but an officer couldn't be there all the time. Mr. Petropoulos was concerned that a lit up flashing sign would be out of place. Ms. Eliot noted that there were safety concerns. Mr. Degen was concerned with the length of the zone and suggested crosswalks to slow down traffic. Mr. Collins noted that kids will cross when they cross, regardless of crosswalk. Mr. Collins added that crosswalks were considered but it was determined that it would not address the safety issues. Mr. Degen then suggested having the sign for a trial basis.  
*Ms. Eliot moved to approved the school zone on Farmers Row as described (Peabody Street to Shirley Road) subject to the conditions of the Police Chief for a period of one year, after that a review would take place. Mr. Degen seconded the motion. Motion unanimously carried.*
2. Mr. Haddad noted that the Police Department has two reserve officers that now need to begin field training and need to qualify. A new academy class is about to commence and a second will start in late August. This combined with departments trying to qualify officers has put range time everywhere at a premium. The Chief would like to qualify two (2) reserve officers at out range on August 9, 2012 from 8am-12pm. The Chief wanted to be sure there is adequate time and is seeking the Boards approval. Chief Palma will notify the neighbors once approved. Ms. Eliot was concerned that this was not the job of the selectmen to approve the use of the range when Groton officers need it. Chief Palma also commented on the audit from the NRA and it should be completed soon.  
*Mr. Degen moved to open the range for two Reserve Officers on 8/9/12 from 8am-12pm with a rain date TBD and to notify the neighborhood. Mr. Petropoulos seconded the motion. Motion unanimously carried.*

**APPROVE COMMON VICTUALLER LICENSE-CLOVER FARM GENERAL STORE**

Mr. Haddad requested that the Board make the approval contingent on the Board of Health issuing a Food Service permit.

*Ms. Eliot moved to approve the CVL to Janet Shea for the Clover Farm General Store to expire 12/31/12 contingent of the food service permit from the Board of Health. Mr. Degen seconded the motion. Motion unanimously carried.*

#### **REVIEW MEMORANDUM OF UNDERSTANDING WITH ELECTRIC LIGHT COMMISSION**

Mr. Haddad asked the Board to recommit to the Memorandum of Understanding. Mr. Degen noted a changing of words from the Station Ave Overlay to the Center Overlay District.

*Mr. Degen moved to reaffirm the Boards support for the Memorandum of Understanding between the Town of Groton and the Electric Light Commissioners, dated 7/27/10, with a change of wording. Ms. Eliot seconded the motion. Motion unanimously carried.*

#### **TOWN MANAGER'S REPORT CONTINUED**

3. Mr. Haddad noted that enclosed was an email from Bruce Easom, as member of the Conservation Commission. [Document 1: Disclosure B. Easom] Mr. Easom recently contacted the State Ethics Commission to determine if there is a conflict with him serving on the Conservation Commission and his relationship with the Light Department as both a purchaser and seller of electricity. Based on advice from the Ethics Commission, Mr. Easom has filed two disclosures with the Town Clerk about these relationships. Once of the disclosures (Section 19), requires approval by the Board of Selectmen. The Board will decide that since the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which Groton may expect from Mr. Easom, that he is not prohibited from acting on the permit request. Mr. Easom has also filed a Section 23(b) (3) disclosure concerning his sale of electricity to GELD at rates set by the New England electrical energy market, a vote is not needed from the Board regarding this disclosure.

*Ms. Eliot moved to approve disclosure stating that no financial interest would affect Mr. Easom hearing the GELD application for permit. Mr. Degen seconded the motion. Motion carried 3-1 abstention (Mr. Degen).*

4. Mr. Haddad stated that the Updated Liaison Assignments have been revised and asked the Board to review. [Document 2: Updated Liaison Assignments]
5. Mr. Haddad noted that a proposed Internal Control Policy has been drafted by the Interim Finance Director Valerie Jenkins. This policy is a statement by the Board of Selectmen approving methods and processes that foster error proof, secure financial systems. Ms. Jenkins had expanded it to include some examples that will help the Board get a sense of the more detailed procedures that are already part of operational methods in Accounting and Treasury (e.g. processing cash receipts, payroll, etc.) This policy, if approved by the Board of Selectmen, enables and ratifies the more detailed policies, and sets the "corporate tone" for the care of our fiscal operations. Mr. Haddad explained that internal control standards had been done all along, but the auditors have suggested that the Town document the process. [Document 3: Internal Control Policy]  
*Ms. Eliot moved to approve the Internal Control Policy. Mr. Degen seconded the motion. Motion unanimously carried.*

6. Mr. Haddad reported that Robin Kane, owner of Country Kids, had applied for an out of sequence CPA Grant to assist her with renovations of the Tarbell School for the relocation of her business. As part of

the application process, the Community Preservation Committee asked for letters of recommendation from the various Boards and Committees. Ms. Kane had asked for a letter of support from the Selectmen. Mr. Easom was present to answer questions. Mr. Haddad stated that as of this point it was a place holder on the Fall Town Meeting Warrant. Mr. Easom explained that some of the money would come from Historic Preservation and the rest out of Unallocated. Mr. Degen was concerned given the decrease in state matches to the CPC funds. Mr. Degen also could not give support without a breakdown of the money and how it would be used. Mr. Haddad stated that he would draft a support letter and attach preliminary budget numbers from Ms. Kane and have it at the next meeting.

7. Mr. Haddad requested that the board ratify his appointment of two Special Police Officers.  
*Ms. Eliot moved to ratify the Town Manager's appointment of Anthony Montesion and Michael Jackson as Special Police Officers. Mr. Degen seconded the motion. Motion unanimously carried.*
8. Mr. Haddad requested permission from the Board of Selectmen to take vacation from August 13<sup>th</sup> through August 20<sup>th</sup>. Mr. Haddad appointed Michael Bouchard as the Acting Town Manager during his absence.
9. Mr. Haddad informed the Board that the Goals and Objectives meeting of the Board is scheduled for August 22<sup>nd</sup> at 7am.
10. Mr. Haddad noted that the Groton Golf Association was holding the second annual GCC Fund Raiser Golf Tournament on Saturday, August 18, 2012. The entry fee is \$90 per person which includes green fees, carts, gifts, prizes and award dinner.
11. Mr. Haddad requested the Board ratify his appointment.  
*Ms. Eliot moved to ratify the Town Manager's appointment of Charles DiRienzo as a Special Police Officer. Mr. Degen seconded the motion. Motion unanimously carried.*
12. Mr. Haddad stated that Calvin Moore owns property on Snake Hill Road. The Town of Groton had designated this land as forest land under MGL, c. 61. Mr. Moore wishes to transfer this land to his son, Todd Moore, for the purpose of Todd Moore constructing a residence for himself and his family. Pursuant to MGL, c. 61, this transfer shall not be considered a conversion and falls within the exception provided for in this section. Therefore, the land is not subject to a Right of First Refusal. Mr. Haddad added that the roll back on taxes did not apply. Ms. Swezey stated the reason for coming before the selectmen is that the bank wants the Board's vote in writing and to note the size of the parcels.  
*Mr. Degen moved to accept the document for two (2) parcels on Snake Hill Road and to state that the Town is not interested in a right of first refusal due to transfers within the family not applying to this section of Chapter land. Mr. Petropoulos seconded the motion. Motion unanimously carried.*
13. Mr. Haddad requested that the Board ratify his appointment of Thomas Sangliolo to GPAC. [Document 4: Interest Form T. Sangiolo]  
*Ms. Eliot moved to ratify the appointment of Thomas Sangiolo to the Great Pond Advisory Committee to expire 6/30/13. Mr. Degen seconded the motion. Motion unanimously carried.*

14. Mr. Haddad stated that the Town was notified by Attorney Robert Collins that he represents Pondsides LLC, Robert Lacombe, Manager, owner of the property located at 765 Boston Road. This property was formerly operated as Oliver's Restaurant with a full service liquor license by tenants of Mr. Lacombe. This restaurant has been closed since April. It is against the MA General Laws for a closed business to hold a liquor license. Mr. Haddad requested that the Board vote to revoke the liquor license issued to Oliver's Restaurant.

*Ms. Eliot moved to revoke the full service CVL Liquor License to Oliver's Restaurant, located on 765 Boston Road. Mr. Degen seconded the motion. Motion unanimously carried.*

15. Mr. Haddad stated that the Town finally settled the Town of Groton v. Boston and Maine Corporation and Shattuck, et al v. Boston and Maine Corporation and Town of Groton litigation. The case involved a claim for the conveyance of an inactive railroad right of way located on Hill Road. The Boston and Maine Corporation will convey the land in question to the Shattuck Parties, and the Shattuck's will grant a trail easement to the Town. Both the Board of Selectmen and the Conservation Commission have to vote to accept said Trail Easement. Mr. Haddad gave a brief history of the litigation.

*Mr. Degen moved to execute the trails easement as agreed to and presented. Ms. Eliot seconded the motion. Motion unanimously carried.*

16. Mr. Haddad gave an update on the Lost Lake Sewer Project. Mr. Haddad updated the board on the responses that had been received from the certified mailing to Lost Lake residents. The deadline for responses is 8/24. Mr. Haddad distributed a 5 year budget plan listing slight increases for DPW and Police. Also an increase in health benefits as listed. Mr. Haddad kept revenues and state aid level and with that an excess levy capacity was seen. Mr. Haddad stated that the Town could look to help the Lost Lake Sewer project from \$0 to \$100k, if so inclined. Mr. Haddad noted that the numbers presented were highly conservative. The wild card is the schools and benefits. Mr. Haddad noted two large projects, Lost Lake and Fire Station, but was confident that the Town could take on both without taxes increasing more than 2.5%. Mr. Degen asked about unfunded liability. Mr. Haddad stated that what Mr. Degen was referring to was a disaster scenario for the Town that would never happen and that putting money aside in case the Town goes bankrupt was not a good idea.

### **OTHER BUSINESS**

*Town Manager Contract:* Mr. Schulman stated that a member of the Board requested at the last meeting more time to consider the Town Manager's contract. Mr. Schulman noted that at this point the Board could move forward to negotiate. Mr. Schulman stated that he along with Mr. Degen would negotiate a new contract and welcomed any and all input from other selectmen.

### **LIAISON REPORTS**

Ms. Eliot stated that she attended the fire station site walk and noted the input from residents who attended the site walk.

### **MINUTES**

*Ms. Eliot moved to approve the meeting minutes of July 9, 2012, as amended. Mr. Petropoulos seconded the motion. Motion carried. 3-1 abstention (Mr. Degen). [Document 5: Meeting Minutes 7/9/12]*

*Mr. Petropoulos moved to approve the meeting minutes of July 23, 2012. Ms. Eliot seconded the motion. Motion carried. 3-1 abstention (Mr. Degen).* [Document 6: Draft Minutes 7/23/12]

**ADJOURNMENT**

*Mr. Cunningham moved to adjourn at 8:30pm. Ms. Eliot seconded the motion. Meeting adjourned*

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

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respectfully *submitted*,  
Patrice Garvin  
Executive Assistant to the Town Manager

Date Approved: 8-20-12