

**BOARD OF SELECTMEN
MINUTES DECEMBER 17, 2012
APPROVED**

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

Absent: 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 stated that Attorney June Johnson had asked for the Boards approval of two Conservation Restrictions. The first one is for a Conservation Restriction over fields owned by Hugh and Marion Stoddart, with the Groton Conservation Trust to be the holder. The Stoddart's have donated, a Conservation Restriction on 5.65 acres of prime farmland off of Longhill Road to the Trust. The Conservation Commission has signed off on this and the Board would need to approve this restriction. The second is over the entire property of Lawrence Woods (on Long Hill Road, opposite Groton Place) owned by the Groton Conservation Trust with the Restriction to be held by the Conservation Commission. Town Counsel has revised this Restriction. The Groton Conservation Trust would continue to own property, and the Town will hold the Conservation Restriction. The Conservation Commission has signed off on this as well. Ms. Johnson stated how grateful the Town should be that this land remain farmland and showed the Board on the map where the property was located. Mr. Schulman thanked the Stoddart's for their contribution. [Document 1- Restrictions from J. Johnson]
The Board voted on the first restriction.

Mr. Cunningham moved to accept the Conservation Restriction for the parcel of land on Longhill Road being donated by Hugh and Marion Stoddart; a 5.65 acres in total. Mr. Degen seconded the motion. Motion unanimously carried.

For the second restriction Mr. Degen recused himself. Mr. Petropoulos asked why Mr. Degen recused himself and Mr. Degen refused to answer the question.

Mr. Cunningham moved to accept the Conservation Restriction at Lawrence Woods. Mr. Petropoulos seconded the motion. Motion carried 3-0.

2. Mr. Haddad stated that at the last meeting Attorney Bob Collins had requested that the Board re-accept the Whitaker Lane Conservation Restriction offered by the American Baptist Churches of MA. Both the Conservation Commission and the Board of Selectmen signed off on this restriction in 2006, but for some reason, it did not get processed by the Division of Conservation Services. The present version reflects the updated model used by DCS. [Document 2- Restrictions from R. Collins]
There have been several changes to this document and Mr. Haddad will bring this issue back to the Board at a later date.
3. Mr. Haddad stated that he had enclosed a revised Purchase and Sales Agreement for the sale of the Tarbell School to Robin Kane. Ms. Kane has brought on investors to assist her with this purchase and anticipated renovations. The P&S has been negotiated and there is one contingency on the sale. Ms. Kane and her associates are planning on bringing in additional educational uses to the building and

have requested a period of time (30 from signing the p&S0 to conduct an investigation of the zoning restrictions, title and condition of the Premises to make sure that they can utilize the Building for the intended educational use. Ms. Kane stated that she was unsure about what she would like to do with the extra space on the second floor. Mike Rasmussen, an investor gave some examples of what could go there but further investigation needs to be conducted. Mr. Cunningham asked if any response has been given thus far. Mr. Haddad stated that response has been positive and asked the board to sign the P&S. *Mr. Cunningham moved to enter into a P&S with Country Kids located at Rivercourt d/b/a TLC. Mr. Petropoulos seconded the motion. Motion unanimously carried.*

JOINT SESSION WITH BOARD OF WATER COMMISSIONERS INTERVIEW AND APPOINT INDIVIDUAL TO FILL VACANCY ON WATER COMMISSION

Also in attendance Jim Gmeiner and Gary Hogland, current Water Commissioners. Mr. Haddad introduced the two applicants Arthur Prest and Martin Schaefer.

Art Prest stated that he lives on Knopps Pond and is also on the Great Ponds Advisory Committee. Mr. Prest is involved in active efforts to restore the lakes and is concerned with water quality. Mr. Prest holds Bachelors in Chemistry and worked at Polaroid for many years. Mr. Prest is concerned with the sewer project at Lost Lake which gravitated him to be interested in being a Water Commissioners. Mr. Degen asked if Mr. Prest would be interested in brining water to the lake area. Mr. Prest stated that it would be difficult to bring water to the lakes area. Mr. Gmeiner asked if Mr. Prest would continued to work with the lakes association if a Commissioner. Mr. Prest replied he would continue his work for the lakes. Mr. Cunningham thought conflict could occur. Mr. Prest stated that he would recuse himself from any potential conflict. Mr. Prest stated he would run once the term was up for Water Commissioner.

Martin Schaefer stated that he lived on Martins Pond Road and became interested in the Water Commissioners through the recent sewer initiative. Mr. Schaefer is an attorney that has traveled internationally working on water issues. Mr. Schaefer reviewed his background and saw serving as a Water Commissioner as a chance to serve the Town. Mr. Petropoulos asked how Mr. Schaefer worked in groups. Mr. Schaefer stated that he has had experience in negotiations. Mr. Schaefer realized he had a lot to learn and would collect a balance of interests not just one sided. Mr. Degen asked what Mr. Schaefer's position was on herbicides in the lake. Mr. Schaefer stated that what he knew the levels were low.

Mr. Petropoulos asked about being out of town a lot and if that could affect being a Water Commissioner. Mr. Gmeiner did not see an issue and that meetings can be flexible. Mr. Schulman asked that everyone selectman and Water Commissioner share their choice for Water Commissioner. It was unanimous that Mr. Schaefer be appointed.

Mr. Cunningham moved to appoint Martin Schaefer as Water Commissioner to serve an unexpired term to expire at the May 2013 Election. Mr. Degen seconded the motion. Motion unanimously carried.

TOWN MANAGER'S REPORT CONTINUED

4. Mr. Haddad stated that some revisions to the charge of the Lost Lake Sewer Committee has been completed. MR. Haddad stated that he has reached out to both the Board of Health and the Finance Committee to serve on the Committee. Susan Horowitz and Jay Prager have responded that they will represent the Board of Health and the Finance Committee. [Document 3- Charge LL Sewer Committee]

Mr. Cunningham moved to adopt the charge of the Lost Lake Sewer Committee. Mr. Petropoulos seconded the motion. Motion unanimously carried.

Mr. Cunningham moved to nominate Jack Petropoulos to the Lost Lake Sewer Committee as the representative for the Board of Selectmen, to expire June 30, 2013. Mr. Degen seconded the motion. Motion unanimously carried.

Mr. Cunningham moved to nominate Jay Prager to the Lost Lake Sewer Committee as the representative for the Finance Committee, to expire June 30, 2013. Mr. Degen seconded the motion. Motion unanimously carried.

Mr. Cunningham moved to nominate Susan Horowitz to the Lost Lake Sewer Committee as the representative for the Board of Health, to expire June 30, 2013. Mr. Degen seconded the motion. Motion unanimously carried.

5. Mr. Haddad stated that he was working to get answers from the USDA regarding the creation of a sewer district to be eligible for funding. Mr. Haddad will alert the Board once he knows more.
6. Mr. Haddad stated that he received a letter from Robert Collins concerning a problem with Cow Pond Brook Road. At the time the road was laid out as a public way, the Town did not own various strips of land on either side of the paved road and the payout was for the road itself. The Town has taken title to this land, but never voted to incorporate it into the right of way. The problem with this is that several homes with frontage do not actually have frontage on the Road, but the strips of land along the paved road way. This needs to be corrected. Attorney Collins is requesting that the Board hold a public hearing to consider voting to incorporate these strips of land in the right of way of the Road. Town Counsel has agreed that the Board can take this action and it does not need to return to Town Meeting since the road has already been accepted. Mr. Petropoulos suggested going back to see what the Planning Board original recommendation was on this issue. Mr. Degen suggested a meeting with Mr. Collins, Ms. Collette to discuss further.
7. Mr. Haddad requested that the Board ratify his appointments.
Mr. Cunningham moved to ratify the Town Manager's Appointments of Suzanne Loverin as the following: Town's Rep to Minuteman Nashoba Health Group; HIPPA Officer; Insurance Advisory Committee; All to expire June 30, 2013. Mr. Petropoulos seconded the motion. Motion unanimously carried.
Mr. Degen moved to ratify the Town Manager's appointment of Patrice Garvin as the Alternate Rep to Minuteman Nashoba health Group; to expire June 30, 2013. Mr. Cunningham seconded the motion. Motion unanimously carried.
8. Mr. Haddad stated that the General Bids are due December 21st at 10am for the Fire Station.
9. Mr. Haddad reported that the Town Meeting Committee has met and their next meeting is January 30, 2013.

ANNUAL LICENSE RENEWALS[Document 4- Annual License Renewals]

Mr. Cunningham moved to approve the following, Mr. Petropoulos seconded the motion. Motion unanimously carried.

Rivercourt Residences, located at 8 West Main Street

Richard J. Kendall, Manager

CVL

Seating Capacity 75; Hours of Operation Sat –Sun, twenty four hours a day. License to expire December 31, 2013

Groton Wellness Center, dba Groton Wellness Center Bistro, located 495 Main Street

Paul Callahan, Manager

CVL

Hours of Operation Mon 9am to 6pm; Tues 9am to 8pm; Wend 9am to 6pm; Thurs 9am to 8pm; Fri 8am to 5pm; Sat 9am to 4pm. License to expire December 31, 2013.

Seven Hills Extended Care Inc., dba Seven Hills Pediatric Ctr, located at 22 Hillside Ave.

Holly Jarek, Manager

CVL

Hours of Operation Daily twenty four hours. License to expire December 31, 2013.

Groton House of Pizza, located at 129 Main Street,

Facility Owner Cosmo Gilberti of 6 Landmark Road, Westford, MA 01886

Theo Stefanakos, House of Pizza Manager

CVL and Entertainment License

Seating Capacity 42; Hours of Operation Daily 11am-9pm; Amusements include-1 Pinball Machine, 2 Video Games & 1 Juke Box, Excluding Sundays; .License to expire December 31, 2013

****Contingent on Payment***

Mr. Cunningham moved to approve the following, Mr. Petropoulos seconded the motion. Motion unanimously carried.

Filho's Cucina, Inc., located at 235 Main Street

Oswaldo Z. Filo, Manager

CVL & BYOB Permit

Hours of Operation Mon-Thur 11am to 8pm, Fri & Sat 11am to 9pm, Sun 4pm to 8pm. License to expire December 31, 2013

FJ Catalano Enterprise Inc., dba Dunkin Donuts, located at 133 Main Street

Frank Catalano, Manager

CVL

Seating Capacity of 6; Hours of Operation Daily 6am- 7pm. License to expire December 31, 2013

Courtney's Donuts LLC, dba Dunkin Donuts, located at 318 Main Street

Steven Catalano, Manager

CVL

Hours of Operation Daily 6am -9pm. License to expire December 31, 2013

Courtney's Donuts LLC, dba Dunkin Donuts, located at 3 Forge Village Road

Stephen Catalano, Manager

CVL

Hours of Operation Daily 6am -7pm. License to expire December 31, 2013

Santi's Restaurant & Dairy Bar, dba Johnson's Drive –In, located at 164 Boston Road

Richard Santiano, Manager

CVL

Seating capacity 50; Hours of Operation Daily 6am to 9pm. License to expire December 31, 2013

Country Butcher & Deli Inc., dba Country Butcher & Deli, located at 68 Boston Road

Kenneth Demers, Manager

CVL

Hours of Operation Mon to Fri 10 am to 7pm, Sat 10am to 6pm and Sun 10am to 5pm. License to expire December 31, 2013

Otto Wight Ventures, dba Main Street Café, located at 159 Main Street

Carolyn Wright, Manager

CVL, BYOB & Entertainment License

Eating Capacity 54; Hours of Operation Mon - Fri 6 am – 3pm; Thurs-Fri For Live Music from 6pm to 11pm, Saturday & Sunday 7am to 3pm. License to expire December 31, 2013

Donelan's Supermarkets, Inc., located at 250 Main Street

Steve Smith, Manager

CVL

Hours of Operation Mon –Fri 8am to 9pm Sat & Sun 8am to 8pm. License to expire December 31, 2013

Gilson Family Herb Ent Ltd, dba Herb Lyceum, located at 368 Main Street

David W. Gilson, Manager

CVL & BYOB

Seating capacity 34; Hours of Operation Daily 10:30 am to 11 pm. License to expire December 31, 2013

Mr. Cunningham moved to approve the following, Mr. Petropoulos seconded the motion. Motion unanimously carried.

The Natural Market, located at 148 Main St.

Joan Reardon, Manager

CVL

Seating capacity 3. Hours of Operation Mon- Sat 9am to 6:30pm. License to expire December 31, 2013

Shaws Supermarket, Inc., dba Shaws Supermarket # 9627, located at 760 A Boston Road

Paul Flynn, Manager

CVL

Hours of Operation Mon – Sat 7am -10pm, Sun 7am to 9pm. License to expire December 31, 2013

Main House, LLC, dba Main House, located 495 Main Street, 3c

Kan Hung So, Manager

CVL

Hours of Operation Daily 11am to 10pm. License to expire December 31, 2013

A.L. Prime Energy, located 619 Boston Road

Mahmood Shiekhabdou, Manager

Hours of Operation Daily 6am to 10pm. License to expire December 31, 2013

. **Contingent on Receipt of A Certificate of Insurance*

Bruno Ferreira, dba Bruno's Pizzeria, located at 195 Main Street

Bruno Ferreira, Manager

CVL

Seating Capacity 16; Hours of Operation Daily 9:30am to 8:30pm. License to expire December 31, 2013

Clover Farm General Store, located at 9 West Main Street

Janet Shea, Manager

CVL

Licenses to expire December 31, 2013

Contingent on Receipt of CVL Completed Form

Groton Towing Inc., Located at 445 Main Street

Robert Olson, Manager/Owner

Class II License

Hours of Operation Mon-Friday 8am to 5pm.. License to expire January 1, 2014

Piper's Classic Imports, Inc., located at 15 Elm Street

Ernest Piper, Manager/Owner

Class II License

Hours of Operation Mon - Fri 7am to 5pm. License to expire January 1, 2014

LIAISON REPORTS

Mr. Petropoulos stated that he took a tour of the wells and West Groton. Mr. Schulman noted that the Planning Board approved the GELD project. Mr. Degen noted that he spoke to the Police Chief to ensure the safety of schools when voting is taking place.

Mr. Haddad reminded the Board that his budget presentation would be on January 7th.

ADJOURNMENT

Mr. Petropoulos moved to adjourn the meeting at 8:30 p.m.

Approved: _____

John G. Petropoulos, Clerk

respectfully submitted,

Patrice Garvin, Executive Assistant

Date Approved: 1-4-13