

**BOARD OF SELECTMEN  
MINUTES MAY 13, 2013  
APPROVED**

**Present:** Stuart M. Schulman, Chairman; Peter S. Cunningham, Vice Chairman;; Anna Eliot; Joshua A. Degen  
**Absent:** John G. Petropoulos  
**Also Present:** Mark W. Haddad, Town Manager; Patrice Garvin, Executive Assistant

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

**ANNUAL BOARD REORGANIZATION**

*Mr. Degen nominated Mr. Cunningham as Chairman. Ms. Eliot seconded the nomination. Unanimous*

*Mr. Cunningham nominated Mr. Degen as Vice Chairman. Ms. Eliot seconded the nomination. All in favor, Mr. Degen abstaining.*

*Mr. Cunningham nominated Ms. Eliot as Clerk. Mr. Schulman seconded the nomination. All in favor, Ms. Eliot abstaining.*

**TOWN MANAGER'S REPORT**

1. Mr. Haddad began by addressing the recent fire on Boathouse Road. Mr. Haddad stated that there have been a lot of rumors and speculations regarding the fire, and addressed the most erroneous. A complete review is being undertaken and Mr. Haddad will report back to the Board once the review is completed.
2. Mr. Haddad stated that the Park Commission has been working to improve Hazel Grove Park. Several dedicated residents have worked to plan and improve the Park. Through their work a new association was formed called the Hazel Grove Agricultural Association. Several members of the new Association are members of several Town boards including the Park Commission, Community Preservation Committee and Agriculture Commission. Due to the nature of the new organization, several members have been advised by the Ethics Commission that the Town Boards they serve on should be designated by the Board of Selectmen as Special Municipal Employees, MGL 268A. A position is eligible to be designated as "special" if it is unpaid, or if it is part-time and the employee is allowed to have another job during normal working hours. An employee holding a position designated as special may be paid by others, act on behalf of others before municipal boards other than his own, provided that he has not officially participated in the matter, and the matter is not now, and has not within the past year been, under his official responsibility. This will eliminate potential conflicts as they will not be considered regular employees of the Town.

*Ms. Eliot moved to designate the Agricultural Commission, Community Preservation Committee and the Parks Commission Special Municipal Employees. Mr. Degen seconded the motion. Motion unanimously carried.*

3. Mr. Haddad stated that Attorney Robert Collins had approached the Board to accept a new deed restriction for the American Baptist Churches of MA Whitaker Lane Conservation Restriction. Some members of the Board had expressed concerns with this new restriction because it limited public access. [Document 1-Deed Restriction] A major portion of the restriction lies beneath the New England Powerline easement that precludes public access. The deed restriction recognizes this limitation on access. The rest of the restriction contains the same provisions as originally accepted by the Board several years ago. Mr. Cunningham had no issues with the restriction. Mr. Degen had some concerns with the easement and asked who benefited and requested further information. Ms. Collette explained

that due to the Special Permit this issue has taken some time. Ms. Ganem stated that the land could be used but with constraints. Ms. Eliot noted that it reduced the tax assessment. Ms. Ganem stated that the land was owned by TADCOM (American Baptist).

*Mr. Schulman moved to accept the Conservation Restriction on Whitaker Lane. Ms. Eliot seconded the motion. Motion unanimously carried.*

4. Mr. Haddad presented the Board with a proposed meeting schedule for the summer through Labor Day. Mr. Petropoulos asked that the Personnel Board be appointed at the next Board meeting. [Document 3-Proposed Schedule]

5. Mr. Haddad referred the Board to a letter from Tom Callahan of the Friends of the Trees asking the Board to declare May 19, 2013 as Arbor Day for the Town of Groton, along with an invitation to attend the annual Tree Planting Ceremony on May 19<sup>th</sup> at 1pm.

*Mr. Degen moved to declare May 19<sup>th</sup> as Arbor Day. Mr. Schulman seconded the motion. Motion unanimously carried.*

6. Mr. Haddad requested the Board ratify his appointments.

*Mr. Degen moved to ratify the Town Manager's appointments of Victoria Pippin, Camp \$10perhour and Jelley Huber, Lifeguard \$10.50 per hour. Mr. Schulman seconded the motion. Motion unanimously carried.*

#### **PUBLIC HEARING ON THE REQUEST OF CARRIAGE HOUSE SEAFOOD GRILL RESTAURANTS AND FUNCTIONS FOR AN ALL ALCOHOL RESTAURANT LIQUOR LICENSE**

Attorney Lanza representing Attorney Gibbons for George Pergantis addressed the Board. Ms. Eliot read the legal notice into the record. Mr. Cunningham opened the hearing stating that all abutter were notified.

Attorney Lanza stated that some items for the application were missing. Ms. Garvin stated that the Town had the floor plan but was missing some financial records. Mr. Cunningham stated that there was a lengthy list of items within the Special Permit as well as the need for sprinklers. Mr. Degen had never seen a Special permit as long as Mr. Perganti's and did not want to grant the liquor license. Ms. Eliot suggested withdrawing the application without prejudice. Mr. Schulman wanted to see some progress on some of the items. Mr. Haddad stated that if withdrawn then there would be more fees the Town would have to pay if withdrawn, as well as re-advertise. Mr. Cunningham felt the best way to move forward was to continue until sometime in August. Attorney Lanza conferred with his client. Attorney Lanza stated that Mr. Pergantis would like a date that was sooner. Attorney Lanza stated that the pool was locked off. Mr. Cunningham recommended July 29<sup>th</sup>. Mr. Cunningham stated that the owner has not yet been issued a occupancy permit and a license cannot be issued in hand unless a permit is issued.

*Mr. Degen moved to continue the public hearing until July 29, 2013, and to resent notices in the mail. Ms. Eliot seconded the motion. Motion unanimously carried.*

#### **LIAISON REPORTS**

Ms. Eliot suggested that the parks Commission look into an intern to help them write grants. Mr. Haddad stated that he would look into the matter and report back to the Board.

Mr. Petropoulos stated that he held office hours at Rivercourt and commented on its voter registration initiative.

#### **MINUTES**

*Mr. Schulman moved to approve the minutes of April 22, 2013. Mr. Degen seconded the motion. Motion carried, Mr. Petropoulos abstaining. [Document 4- Draft Minutes 4-22-13]*

**ADJOURNMENT**

*Mr. Degen moved to adjourn at 7:46pm. Meeting adjourned.*

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

\_\_\_\_\_ respectfully submitted,  
Patrice Garvin, Executive Assistant

Date Approved: 6-3-13